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Canada. Royal Commission on
pilots

Hearings. 1963.

Nos 63-65

817 A
ROYAL COMMISSION

ON 33

PILOTAGE

HEARINGS

HELD AT

QUEBEC CITY
QUEBEC

VOLUME No.:

63A-65

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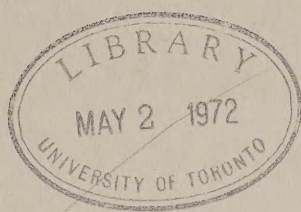
Sept. 13, 1967

OFFICIAL REPORTERS

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TORONTO

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Court House,
Quebec City, Quebec, on the
13th day of September, 1963

COMMISSION

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild
Mr. J. Brisset	for the Shipping Federation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Cor- poration of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots.

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TORONTO, ONTARIO

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E R R A T U M

THROUGHOUT, for DESSAULT read DUSSAULT

* * * *



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Cross-Examination by Mr. Mason

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* * * *



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C A N A D A

COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L'HONORABLE YVES BERNIER, J.C.S.,
Président

Monsieur ROBERT K. SMITH, c.r., commissaire,
Monsieur HAROLD A. RENWICK, commissaire,
Monsieur GILBERT NADEAU, secrétaire.

Le treizième jour de septembre,
l'an mil neuf cent soixante et trois:

Me LEOPOLD LANGLOIS, c.r.,
pour la Can. Merchant Service Guild:
Votre Seigneurie, hier, a demandé
de déposer la position exacte du
Tritonica telle qu'obtenue par des
relèvements de triangulation par le
C G S Beauport du ministère des
Transports, j'ai ici une lettre du
neuf (9) septembre du capitaine
Georges Gaudreault, agent régional des
services maritimes du ministère des
Transports à Québec, transmettant
le résultat de ces positions prises,
parce qu'il y en a deux, par trian-
gulation, déterminées par le C G S
Beauport.



1
2 Et des copies photostatiques et de
3 la lettre de couverture du capitaine
4 Gaudreault, et de la pièce annexée
5 donnant ces positions, et je suis
6 disposé à déposer soit l'original
7 si Votre Seigneurie l'exige, ou les
8 copies photostatées; j'en ai d'ail-
9 leurs des copies pour mes confrères.

10 LE PRESIDENT:

11 Alors, une copie, c'est suffisant.

12
13 Me LEOPOLD LANGLOIS, c.r.,
14 pour la Can. Merchant Service Guild:
15 Sous la cote 665, en liasse, lettre
16 du capitaine G.E. Gaudreault, agent
17 régional, Service Maritime du minis-
18 tère des Transports, à Me Léopold
19 Langlois, transmettant les détails
20 concernant la position de l'épave du
21 Tritonica coulé au large de petite
22 Rivière St-François.

23 LE PRESIDENT:

24 Et pour les fins des commissaires
25 qui ne sont peut-être pas très frots
26 en triangulation, je demanderais au
27 témoin d'indiquer approximativement,
28 ou le plus exactement possible sur la
29 carte le point qui correspond aux
30 données du capitaine Gaudreault.



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Me MARC LALONDE, c.r.,
pour la Can. Merchant Service Guild:
Le conseiller juridique de la Com-
mission devait mettre à la disposition
du témoin, ce matin, des instruments
appropriés, mais le témoin a dû
faire venir ses instruments lui-même
du Bas de la Ville, et on les attend
d'une minute à l'autre.

LE PRESIDENT:

Alors, quand il les aura.

Me JEAN BRISSET, c.r.,
pour la Féd. des Armateurs du Canada:
Ca pourrait peut-être être fait à
l'ajournement.

LE PRESIDENT:

Certainement.



Quebec City, Quebec
Friday,
September 13th, 1963 7515

1 French

2 ---ON COMMENCING AT 10:00 A.M.

3
4 MR. LANGLOIS: We are speaking in French.
5 Yesterday, my lord, there was mention of a question
6 indicating what was the exact position of the TRITONICA
7 as obtained from the surveys of triangulation by
8 C.G.S. Beauport, of the District of Montreal. I have
9 here a letter of Captain Gaudreau, Regional Agent for
10 Marine Services of the Department of Transport includ-
11 ing results of position by triangulation. There have been
12 two given by the C.G.S. Beauport. I have a photostat
13 of the covering letter of Captain Gaudreau to Mr.
14 Langlois and the position by triangulation of the
15 TRITONICA. I am ready to file either the original,
16 if your lordship asks for it or the photostat copy.
17 I have distributed them to my colleagues.

18 THE CHAIRMAN: The copy will be sufficient.
19 It will be Exhibit 665.

20 EXHIBIT 665: Exhibit 665 is a letter
21 from Captain G.E. Gaudreau, Marine Agent from the
22 Department of Transport indicating the position of the
23 TRITONICA which was sunk off the St. Francois River.

24 THE CHAIRMAN: For the information of the
25 Commission, and we don't know much about triangulation,
26 I would like the witness to indicate approximately or
27 exactly where this spot is on the chart.

28 MR. LALONDE: The legal adviser of the
29 Commission was supposed to put at the disposal of the
30 witness the proper instruments, but the witness has



1 French

2 requested his own instruments come from the office, and
3 we expect them at any moment now.

4 Captain Dessault, please.

5
6 CAPTAIN MICHEL DESSAULT, Re-Sworn

7
8 CONTINUATION OF DIRECT EXAMINATION BY MR. LALONDE:

English 9

10 Q. My lord, we hope we will be in a
11 position to obtain one thumbtack in this building before
12 long in order to fix the maps on the board there.
13 However, I think Captain Dessault you could start this
14 morning and describe A, the theoretical trip down from
15 Quebec Harbour by using the south channel in particular
16 and indicate the approximate course and the difficulties
17 or problems you might meet on the way down. Would you
18 please start by referring to map 1321, Exhibit 442.

19 A. Well, leaving from Quebec Harbour,
20 from either of the berths alongside the river or in the
21 St. Charles River or one of the tidal basins or by
22 relieving the pilot, as shown yesterday in coming to
23 Quebec. There again taking the ship out of the harbour
24 it is just one long pronounced curve with various
25 changes of course. Stay on each course, more or less
26 a period depending upon, of course, the speed the
27 ship is doing. We should mention in the Harbour limits
28 and alongside the wharves there is a speed limit of
29 nine knots over the ground and less depending on the
30 vessels tied up alongside, not to bother them or cause



1 any danger. The same again happens as you round the
2 shipyards. There is always some vessel either lying
3 at fitting berths or at the various dry dock entrances
4 I described yesterday. There again the speed has to
5 be reduced. As far as the course running up, it is
6 as described yesterday. Once you have cleared the
7 Harbour by West Point then we. . .

8 Q. You are now referring to map 1208,
9 Exhibit 441?

10 A. Well, coming on to this now at the
11 West Point and clearing the Quebec Harbour limits you
12 would shape the course there again to go down the
13 Beaumont Reefs. This is usually made in two courses.
14 The first one is approximately steering 090 or 092,
15 and there again has to be adjusted according to tide,
16 winds and vessel conditions.

17 Q. Captain Dessault, before proceeding
18 further down would you go back to Exhibit 442 and get
19 the ship out of Anse au Foulon or in that area, where
20 I understand you have passengers stopping once and a
21 while. Would you indicate the manoeuvring which would
22 take place in such an instance and the various problems
23 you might meet, if any?

24 A. The first thing that the pilot should
25 be careful, just prior to letting go from the berth
26 is to check if there is any up or downbound vessels com-
27 ing up or down the channel, so you create a danger,
28 close situation, and possible danger of collision. The
29 manoeuvring will depend, there again, either if you
30 are leaving with the flood or the ebb tide, if the ship



1 English

2 is tied up with her head upstream or downstream, and
3 also again depend if you are using tugs or if you are
4 not using tugs. All these things have to be taken into
5 consideration. This, of course, is left generally to
6 the pilot and he usually informs the Master prior of
7 what type of manoeuvre he will do. Is that satisfactory?

8 Q. Yes.

9 A. Once you are clear of the berth,
10 if for some reason you just swing your ship around,
11 if you were heading up river coming off the berth and
12 proceeding through the harbour as previously mentioned
13 at reduced speed and taking good care not to cause any
14 danger or injury to vessels working or tied up alongside.

15 Q. Thank you.

16 A. After clearing the Harbour, as I
17 mentioned it is shaping a course to take the vessel
18 down by St. Laurent or by Beaumont Reefs. This is
19 usually done in two courses. The first one approximately
20 090 or 092 and has to be adjusted in the usual manner.
21 This would take you about one mile and a half or two
22 miles below the Harbour limits where you usually switch
23 on a course of 078 or 082 true. From St. Laurent,
24 change of course down to well off St. Jean, Orleans
25 Island -- Ile d'Orleans. This was done on one course
26 as we are now shaping to use the south channel going
27 down, and we would ~~keepe~~ even more to the south side
28 and righthand side of the channel.

29 THE CHAIRMAN: The course you gave there,
30 when the channel is not wide, two or three miles, or even



1 English

2 a mile, would the course be the same going upstream and
3 going downstream?

4 A. Generally speaking the course will
5 be opposite but parallel, but not necessarily so. You
6 can have various and few differences. You could say
7 that the average would be the same, but opposite.

8 THE CHAIRMAN: There is no provision whereby
9 the ship is going downstream keeping to a position one
10 side of the channel?

11 THE WITNESS: Yes, sir. There is provision
12 in good seamanship, and even by law because the rules
13 of the road, it mentions you must always keep in the
14 righthand side of the channel, more or less, as if you
15 are going on the highway you must always keep on the
16 righthand side of the road.

17 THE CHAIRMAN: With the course you made
18 you have no other one, really a straight line in the
19 middle of the channel, but always in the same lane. If
20 two ships are coming in opposite directions there is
21 going to be a collision?

22 THE WITNESS: No, sir. If I may demonstrate
23 this on the stretch between St. Jean and St. Laurent.
24 I said yesterday a ship coming up would steer approxi-
25 mately 233 true. Let us say I was a quarter of a mile,
26 a half mile off St. Laurent coming in. I could steer
27 exactly the same opposite course if I kept going down
28 to the right side of the channel. It is going to be
29 like a railroad track. You can have another rail. They
30 are going to be exactly parallel, but they are not



1 English

2 together. Do you understand the point I am trying to
3 make? You steer an opposite course, but not for the
4 exact route.

5 THE CHAIRMAN: But the tracks are fixed.

6 THE WITNESS: You do the same, but instead
7 of at six or eight feet between the tracks, here you
8 may be 600 feet or 1,000 feet.

9 THE CHAIRMAN: What prompted the question
10 to me was the fact that later on where the TRITONICA
11 was sunk the channel there is about three miles wide,
12 and if I am not mistaken from what I saw the accident
13 occurred on the north of the river.

14

15

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30 -



MR/RPS

1 English

2 Be two miles? One mile? About one third
3 of the north?

4 THE WITNESS: The position of the wreck,
5 if I am not mistaken, sir, is south of the channel.

6 THE CHAIRMAN: Right. That is what I
7 thought.

8 MR. BRISSET: About a mile and a half from
9 the north.

10 THE WITNESS: I might be mistaken, I was
11 not involved in it. Is this explanation satisfactory
12 to you my lord?

13 THE CHAIRMAN: Right.

14 THE WITNESS: You can see there is a
15 reciprocal course that can be more or less varied, as
16 far as that goes. Even if you are in the channel, three
17 miles away, and if you are one mile off the one shore
18 and steering the one course coming up, you can be one
19 mile steering exactly the opposite course and still be
20 a mile away from course. Which is exactly the point,
21 the narrower the channel, the closer you have to come
22 together.

23 Q. His lordship, I think, mentioned
24 a channel three or four miles wide.

25 THE CHAIRMAN: I said three.

26 Q. Would you indicate how wide the
27 channel is in that area?

28 A. Well you would be leaving the Quebec
29 Harbour with deep water.

30 Q. In any particular part how wide is the



1 English
2 channel?

3 A. Coming from Quebec Harbour, leaving
4 the Quebec Harbour for West Point would be just over
5 half a mile. It's about .6 miles off St. Laurent. It
6 will widen in parts between, it will start widening a
7 little over a mile, mile and a half, by the time you
8 get by St. Jean or just below. Later on the channel will
9 either widen in some spots or they come to even less,
10 700 feet wide as we will see later.

11 Q. And how far does the Beaumont Shoal
12 extend into the water, or near the channel?

13 A. As we depicted yesterday, the Beaumont
14 Reef lies a good mile off the shore, and the extent of
15 it is indicated by a buoy.

16 Q. You may proceed.

17 A. From St. Jean, the next course we
18 are using, the south channel, will be shaped to take
19 a ship by Bellechasse Island. This is usually done
20 by steering a course something like 067 true on the way
21 down.

22 Q. Would you please chart with a blue
23 pencil an approximate course and for the purpose of the
24 record I should indicate that the witness still is not
25 using proper instruments.

26 A. On the way to Bellechasse Island,
27 we will leave Madame Reef buoy No. 886 shown on our
28 porthand. I shall mention now that up to a very little
29 while ago Bellechasse Island was a watched light. That
30 has been now put on just the automatic aids to navigation,



1 English

2 without any keeper.

3 From Bellechasse the next course, of course,
4 would be shaped to take us down to Crane Island. It is
5 not shown on this chart. It's just off the chart.
6 Here the channel widens up. On this spot, before
7 going on to the next chart, may I point out here some
8 shoals, very shallow water that will be met on the way,
9 which is known as Empress Shoal and as rock off the shore
10 there known as Wye Rock and the extent of which is
11 indicated on the chart by a black can buoy.

12 Q. Would you still chart on that
13 map an approximate course?

14 A. In this part of the river, the
15 channel just mentioned, where there is again part of
16 a prohibited anchorage from the channel there due to
17 submarine cables that run from Beithier going across
18 to Grosse Ile where the former quarantine station was
19 located.

20 Q. You are now using chart No. 1207,
21 Exhibit 440.

22 A. As I just mentioned, we have been
23 shaping a course to take us down to Crane Island and
24 on the way we have passed over the Empress Shoal and
25 Wye Rock, and then we come up to Crane Island channel
26 which is a buoy channel. At the western end of the
27 island we have two black lit buoys. We have a watched
28 light on Crane Island wharf itself. Again, in the
29 island itself, until we come to the Beaupre Pass,
30 it's usually done by two short courses taking it over



1 English

2 to a mile and a half out. This takes us just past Crane
3 Island wharf and to the narrow part of the south channel,
4 known as Beaujeu. This is a dredged channel. No upkeep
5 has been done on it for several years past and it is
6 only about 17 feet of water available there at low
7 water, ordinary springs.

8 Q. How wide is the channel on that
9 Beaujeu Point?

10 A. At this point the channel is a
11 little over 700 feet wide. From that shortcut there
12 and is marked at this western entrance by two lit buoys,
13 black and red ones and a range established on Goose
14 Island is the middle line of the channel. These are
15 the two entrance buoys themselves.

16 Q. Just a minute Captain. You are
17 underlining with your blue pencil the range?

18 A. Indicating the cut itself.

19 Q. Would you indicate, you mentioned that
20 there was 17 feet of water in that place.

21 A. This is what, amongst ourselves,
22 from soundings we have found, what we have been able to
23 gather from the ship channel people. As I just mentioned,
24 very little upkeep, or no upkeep has been done there
25 by the ship channel people. I would think probably as
26 long as I have been around the river. Well of course,
27 sort of word of mouth, passed on to one pilot to another.
28 I have gone through this and there has been so much
29 water and I worked it out about this. I would think
30 17 feet at low water would be a fairly accurate sounding



1 English
2 right now.

3 Q. You said that no upkeep was carried
4 on that channel. Have you asked for soundings in the
5 south channel, in particular by Beaujeu Channel?

6 A. On several occasions I believe the
7 Committee have asked the Authorities to give us soundings
8 at Beaujeu and generally speaking in the south channel
9 at various locations there, like I have just mentioned
10 the Empress Shoal would be one. A little later on we
11 would see that channel patch would be in place there
12 where a shoal is expected, and then we have asked for
13 verifications of these spots there. While we are not
14 using extensively this channel, it still, of course,
15 is in use.

16 THE CHAIRMAN: Available water is supposed
17 to be 24 is it?

18 THE WITNESS: This is indicated on some
19 charts my lord, but on some others, I believe the newer
20 edition is indicated as 21. Some newer still editions
21 is indicated as 17. I would think this is more like
22 it, and even less I believe. Very foolish to try
23 anything over 17.

24 Q. Would you indicate what is mentioned
25 on chart 1207, Exhibit 440 as the depth of the water at
26 Beaujeu Channel?

27 A. On this chart, 17 feet is indicated
28 as reported in 1960. This is the official mention
29 on this Exhibit.

30 Q. And you mentioned that you requested



1 English

2 soundings on several occasions. Do you know if these
3 soundings have taken place?

4 A. Not to my knowledge.

5 Q. Not to your knowledge. No report
6 was made to you or to your Corporation or to the
7 Pilotage office as far as you know?

8 A. No. I believe we made quite some
9 time ago, last year or two years ago, we might have had
10 some verbal information that what was indicated on the
11 chart was the last report. That is all. Nothing into
12 our last information.

13 Q. And you also mentioned that there was
14 no upkeep in that channel. I presume you were referring
15 to maintenance dredging, I suppose?

16 A. That is right. I am just strictly
17 referring to dredging or channel depth, and stuff like
18 that, and of course the maintenance, as far as lights
19 or buoys or other aids to navigation go has been done
20 from year to year by the District Marine Agency.

21 When I speak about maintenance, I am speak-
22 ing exclusively of the dredging. I mean depth of
23 channel.

24 Q. My lord I would produce as exhibits
25 the correspondence in connection with the request for
26 soundings in various years as soon as these can be
27 found.

28 THE CHAIRMAN: Yes. I see that on this
29 map, 1207, at Beaujeu Narrows there the depth is 17
30 feet, 1960.



English

THE WITNESS : This is exactly, or is also indicated on this one. I believe these are the reported soundings.

After managing that cut there, where I might add special precautions have to be taken because of the shallow water, the narrowness of the channel, and also a fairly swift current at times there, which does not run quite true to the channel, especially on the ebb tide, we come into ---

Q. What would be the force of the swift current? Would you indicate the approximate velocity?

A. I would say as much as four knots on the ebb tide and a little less on the flood tide. From there we come on to another range known as Beaujeu, this time, which consists of a watched light installed on the pier at Crane Island itself, and another light installed in cement block built on the shore. These two ~~unlighted~~ lights will take us down through this narrow Beaujeu channel, all the way down and will be a help all the way down to Stone Pillar light. On the way down we will have two cam buoys on the south island, with the red cam buoy, conical on the porthand. At the eastern end of Goose Island we have buoy No. 66. The first lit buoy in this part of the channel. Further down we will come to a change of course on Algernon Rock Island and Stone Pillar, around the curve: ~~before going~~ from one course, I will indicate on the chart as requested the various courses I have just mentioned.



1 English

2 Q. Before you proceed further Captain,
3 you referred to Crane Island range. Would you indicate
4 approximately how wide is the channel in that area?

5 A. Well there again it would vary, but
6 a maximum width of half a mile, to a minimum width of
7 less than a quarter of a mile, of course, just coming
8 out of the bend there after Beaujeu Narrows.

9 Q. And what is the velocity of the
10 current in the same area?

11 A. Well as I have mentioned, I would
12 put the average for velocity there on spring tide nearly
13 four knots on the ebb tide and about three knots on
14 the flood.

15 Having now arrived off Algernon Rock,
16 this is marked by an unlit light, and just behind we have
17 Stone Pillar. This used to be one of the main lighthouses
18 in the District but it has now been replaced by an
19 unwatched light.

20 We make a change of course that will take
21 us through the Port Joli or Saint Jean Shoals there,
22 what we commonly call off the Channel Patches going
23 down to meet the traverse, the St. Roche traverse proper.
24 Off Algernon Rock, we will have one black can buoy,
25 cylindrical buoy. Then we come into the buoy No. 65
26 there where you can see the Channel Patch. The channel
27 is really beginning there. Again going down to the traverse,
28 this is usually done in two separate courses, the first
29 course taking you down to buoy 61 in the middle of that
30 passage and then on to the entrance of the St. Roche trav-



1 English

2 erse proper.

3 As can be seen on the chart, quarantine
4 station three lighted buoys to be used as markers in
5 this part of the channel. This again is quite a narrow
6 channel between shoals and as mentioned previously there
7 at Channel Patches, there again we have requested that
8 soundings be made, if possible. As I would say, this
9 has got something like 24 feet from my own experience
10 around there presently by the channel patches, from
11 having negotiated this. We come now down to buoy 60B
12 and 57-1/2 B which mark the entrance of the St. Roche
13 traverse proper. These are two lit buoys marking the
14 entrance.

15 At this point the currents are very much
16 to be guarded against and you will notice the very narrow
17 channel, with the very swift current that might attain
18 as much as seven knots velocity on spring tide and the
19 flood is nearly as strong, and even stronger with very
20 strong prevailing northeasterly winds.

21 This St. Roche traverse with this very
22 swift current is marked by some lit buoys. The two
23 at the western entrance, we have three others in a zig-
24 zag fashion there marking both sides of the channel,
25 and then the eastern entrance known as 56, which is
26 also fitted with the radar reflector so messages can
27 be picked up in dirty weather if necessary.

28 Q. Is it true Captain that the current
29 has, in the past carried some lights away in St. Roche
30 traverse?



1 English

2 A. I would say that on several occasions
3 even in these late years light buoys have been carried
4 away by the strength of the current. I myself have
5 reported one some years ago as far as eight or nine miles
6 downstream from the charted position.

7 As I just mentioned, very strong current
8 has been experienced through the traverse, just like
9 a funnel where a large body of water tries to get down
10 at the same time.

11 Having negotiated St. Roche traverse and
12 passed by 56, marking this eastern end, we now take the
13 long course to take us down to Kamouraska Islands, or
14 more precisely off Grosse Ile. This is not on this
15 chart, but on the next one. It's on the next one.

16 Q. Will you plot the approximate course?

17 A. The approximate course would be
18 045 true.

19 Q. You are now proceeding on chart 1201,
20 Exhibit 439.

21 A. And of course on this long course
22 that is originated by buoy 56 coming out of the St. Roche
23 traverse and which, as I mentioned, will take us down
24 to Kamouraska Islands, or more precisely off Grosse Ile
25 light, the approximate course being 45, this usually
26 having to be adjusted. This will also mark the entrance
27 of another section of the channel going by Riviere du
28 Loup and going south of Hare Island, contrary to the
29 north channel as depicted yesterday afternoon.

30 Q. Captain Dessault have you passed St.



1 English

2 Anne Banc by now?

3 A. I have. There were located on the
4 other chart there, just at the lower end of the St.
5 Roche traverse.

6 Q. On chart 1207?

7 A. That is right.

8 Q. Would you indicate how far these
9 banks extend into the river, and how close do they come
10 to the channel itself?

11 A. As I mentioned going nearly all the
12 way down from Crane and Goose Island, you are just
13 like going through banks on both sides nearly and both
14 the shoals of St. Jean and Port Joli and St. Roche and
15 of St. Anne, I think, / ^{come} way out to sea as much as four
16 to five miles there and they come nearly very close
17 to the channel. If you just vary off the narrow channel
18 line that you would be ashore in no time at all. They
19 extend many miles out and the channel is just one
20 threat because of the various shoals on both sides of
21 the vessel.

22 Q. Thank you.

23 A. From Grande Ile to negotiate the
24 south channel in between Hare Island or Hare Island reef
25 and various islands to the south there the approximate
26 course would be 036 this again having to be adjusted
27 depending upon the state of tide, current, wind, et
28 cetera. This channel there again varies in width more
29 than a mile to a little less than a mile.

30 Of course, if you have a light ship or less



1 English

2 water we ~~are going~~ to go more into the bank; all
3 depending again on the draught of your vessel.

4 Going down this channel, at the entrance
5 there there is a small conical buoy there on your port-
6 hand, red buoy and about halfway down to Riviere du
7 Loup there again there are two lit buoys. I might
8 mention on this chart one of the lit buoys is No. 46
9 here, is shown as a cylindrical red conical buoy
10 which until this year has been replaced by a lit buoy.
11 For Riviere du Loup you now have what we call Barrett
12 Ledge with various rocks and shoals. These are again
13 indicated by some lit conical buoys and right at the
14 beginning of the channel there, Barrett Ledge, by a
15 red lit buoy.

16 Q. How far does the Hare Island Reef
17 extend to westward?

18 A. It extends for a considerable distance.
19 As a matter of fact just as you enter this part of the
20 channel you can see you are nearly into the reef and right
21 then it extends nearly abeam of Grande Ile or Kamouraska
22 Island so it means all this later part which I have
23 just described here is in between either reef, shoals
24 or islands.

25 Q. Would you plot the course please?

26 A. To the eastern part of this south
27 channel here we come by Pointe de Riviere du Loup where
28 the Riviere du Loup wharf has been built and where we
29 occasionally take vessels.

30 Q. Have you taken vessels to Riviere du



1 English

2 Loup yourself?

3 A. I have sir.

4 Q. You said ships are calling occasionally.

5 Would that occur pretty often with pilots on board?

6 Well it all depends.

7 Q. Would you have any approximate idea
8 of the number of ships calling at Riviere du Loup?

9 A. There again not being the Traffic
10 Manager for Riviere du Loup, it is hard to say. I would
11 say that there is steady trade by Irving Oil Company
12 and one of their vessels do regularly employ a pilot;
13 calls in there very often, even regularly I mean through-
14 out the season and there has also been on other occasions
15 vessels going there either with steel building material
16 coming from overseas and on one occasion I have been
17 there with a vessel loading pulp products.

B3

18 Q. You referred to the wharf which was
19 built at Riviere du Loup. How much water is in that
20 particular wharf?

21 A. At the head of the wharf we have
22 been using a depth of 14 feet at low water, ordinary
23 springs. As a matter of fact this complicates matters
24 at times. A ship drawing more than this has been sent
25 there to work cargo and it means going into the wharf
26 and off to the anchorage nearly every time, which
27 complicates things quite some.

28 Q. Are wind conditions pretty nearly
29 difficult in the area of Riviere du Loup?

30 A. Well of course, quite open to the



1 English
2 north and especially to the northeast, and of course the
3 worse weather can be expected in this part of the St.
4 Lawrence is the east, or northeasterly weather and of
5 course this wharf that we have to go to is well
6 expsed; as a matter of fact, it's right open to all
7 this bad weather and these prevailing winds.

8 Q. Thank you. Would you indicate on the
9 map, the approximate course when you go into Riviere
10 du Loup?

11 A. There again this will depend on the
12 state of the tide and the draught of your vessel. I mean
13 if you have a fairly deep draught, you would come nearly
14 abeam of Riviere du Loup before heading right on to the
15 wharf. On the other hand, if you have a light vessel
16 you can sort of cut the corner a bit as there is four
17 and three fathoms over the bank coming in. If you
18 have a deep draught, you have to come more or less nearly
19 abeam to the wharf and then into the deepest water.
20 As I say, if you have less, you can sort of go over the
21 bank at such an angle and cut the corner, depending
22 again on the ship, the draught and the state of the
23 tide.

24 Q. I understand there is an area indic-
25 ated for Riviere du Loup as Brandypot. Is there any
26 particular relationship to the liquor?

27 A. From what I have been told when I
28 asked many years ago, that this was due to the colour
29 of the particular rocks in this area, which is more of
30 a brandy, wine colour and at Brandypot Island there is
a very good light there.



PB/RPS

1 English

2 On Brandypot there is a very good light which
3 is maintained and which is one of the best aids to
4 navigation.

5
6 ---OFF THE RECORD DISCUSSION.

7
8 THE WITNESS: From having now cleared the
9 southern part of Barrett Ledge which is marked by buoy
10 38 which is a light buoy with a radar reflector, and
11 clearing various rocks before coming to that, we would
12 now shape a course to take us just about mid-channel
13 south of Red Island which is now again indicated on this
14 chart. I would say the average course would be something
15 like 020 leaving Barrett Ledge buoy on the way to mid-
16 channel south of Red Island we would find White Island
17 light which is a very important aid to navigation and
18 the buoy now indicates the location of the former
19 light ship. In this area especially east of White
20 Island, there again there are very strong currents
21 prevailing, and this is very much like I mentioned
22 yesterday afternoon when I spoke about this same region,
23 but to the north more attention must be paid, especially
24 with the low power vessels as currents are very swift
25 and don't run parallel to the channel line.

26 Q. Captain Dessault, you referred to
27 the fact that a light ship was taken off duty some
28 years ago, you said?

29 A. Yes, it is one that has been taken
30 off duty, I would say it might be six or seven years ago,



1 English

2 the White Island light vessel.

3 Q. Is there any other aid to navigation
4 replacing the light ship?

5 A. Yes, and it was mentioned, this
6 light I mentioned off White Island reef is a first class
7 aid to navigation, very powerful. It is a permanent
8 aid to navigation.

9 Q. Thank you.

10 A. To reach this point midway between south
11 of Red Island and moving to the next chart.

12 Q. Which is No. 1204 and Exhibit 435?

13 A. We find ourselves shaping a course
14 to take us halfway into the middle of the channel south
15 of Red Island which would be about a point halfway
16 between Red Island and Green Island.

17 We just mentioned the aid to navigation at White
18 Island. Very strong currents experienced in the pass
19 between White and Green Island, and, for that matter
20 in the channel itself between White and Green Island.

21 Q. There again what would you mean by
22 very strong currents?

23 A. I would say here very strong tides
24 experienced, certainly up to six knots on ebb and
25 maybe a little less on the flood.

26 Q. There again the current wouldn't
27 be parallel to the direction of the ship, is that the
28 case?

29 A. That is it exactly. I mean the
30 currents are quite sharp an angle most of the time with



1 English
2 channel direction and have a tendency to throw you on the
3 beach, especially setting very strongly on the eastern
4 part of Green Island.

5 Q. Can you plot on this chart with a
6 red pencil the general direction of the current?

7 A. Well, there again as I spoke about
8 currents yesterday, I mentioned that the currents, of
9 course, fluctuate. I mean both the ebb and flood stream,
10 and of course change their general direction depending
11 on the state of the stream and the state of the tide
12 and the different hour of the day. I would say that it
13 is a maximum -- it attains its maximum speed velocity
14 in more or less east-west magnetic direction which
15 would be something like this.

16 Q. Which is indicated with red pencil
17 on the chart.

18 A. And I would add as I started to
19 mention that especially on ebb tide on the spring
20 tide especially you have to be very much guarded against that
21 strong tendency to throw you on the reef of the eastern
22 part of Green Island. On Green Island there is a good
23 watched light. On Red Island we have, again as I mentioned
24 yesterday, a very good aid to navigation. We have
25 various buoys marking the extent of the reef on Red
26 Island. All of them are fitted with radar reflectors
27 and others that are just small conical daytime buoys.

28 Q. For historical interest purposes, I
29 would ask is it true that Ile Verte lighthouse is very
30 old in the St. Lawrence River?



1 English

2 A. I believe it is one of the first
3 built on the St. Lawrence River.

4 Q. Would you proceed?

5 THE CHAIRMAN: We can see some
6 people come from Gaspe Peninsula.

7 MR. LANGLOIS: I saw a chart dated 1848
8 that had Cap Des Rosiers on it.

9 THE WITNESS: This course is just taken
10 down from the south channel portion between Red and
11 Green Island, and off the radar reflector buoy just
12 mentioned on this chart, and there is also this
13 buoy 32 $\frac{1}{2}$ which now replaces the former Red Island
14 light vessel. We change our course and then shape a
15 course that would take us to the pilotage grounds, I
16 would say the average course would be 015 true, which
17 would take us down off Escoumains. I would say there
18 is nothing in particular to mention on this except
19 this again might take us heading up with a down vessel
20 at quite a sharp angle, and especially in dirty
21 visibility precautions would have to be taken regarding
22 the traffic, and that also a fairly strong setting to
23 the east might be experienced, especially on ebb
24 tide and coming out of Saguenay River and the channel.

25 Q. May I take you back to Red Island
26 and particularly you mentioned that the light vessel
27 had been replaced by what?

28 A. That the light vessel, Red Island
29 light vessel which used to lie in the same position indicated
30 by
/ buoy 32-1/2, this was removed some years back and they



1 English

2 replaced it by a radar reflector buoy.

3 Q. Is the present aid to navigation
4 sufficient for your purposes or would you still need,
5 in your opinion, a light ship?

6 A. This is fairly hard to explain. I
7 would prefer like most navigators to have
8 a light vessel which is a much more appropriate aid to
9 navigation in such a location here. Of course with
10 the various signals they give you, all you have now is
11 a radar buoy and pilots have made representations when
12 the former light vessel was taken away it should be
13 replaced by a new one. This has not been granted. I
14 would believe in a location such as this that the aid
15 to navigation -- that a light vessel serves to indicate
16 both the direction of the current at the time and with
17 a fair idea of the velocity of the current, and also
18 gives added security of fog signals, it would be of
19 course, a better aid to navigation than this buoy with
20 the radar reflector as we have at the present time.

21 Q. Were you on the Board of Directors
22 of your Corporation in 1961?

23 A. I was.

24 Q. Are you aware of any representations
25 made to the Department of Transport in connection with
26 the removal of the light vessel?

27 A. As I just mentioned previously the
28 Pilotage Committee did make representations to have the
29 former light vessel replaced.

30 Q. May I show you a letter -- I should



1 English

2 say a text of a telegram, I am sorry, dated April 4th,
3 1961 address by Mr. A.C. Bedard, Vice-President, Quebec
4 Pilots Corporation to Mr. W.J. Manning, Director of
5 Marine Works, Department of Transport, and another letter
6 from Mr. Wilfred Menard, Secretary-Treasurer of the
7 Quebec Pilots Corporation to Mr. Manning, Department of
8 Transport, Ottawa on date of April 14th, 1961 and
9 finally a letter from the Honourable Leon Balcer to
10 Mr. Menard dated April 26th, 1961. Can you tell me
11 whether you have been made aware of that correspondence
12 in 1961?

13 A. I was made aware at that time of
14 this correspondence.

15 Q. May I produce these documents as a
16 bundle as Exhibit 666, correspondence between the Corp-
17 oration of the Lower St. Lawrence Pilots and the
18 Department of Transport in 1961 concerning the removal
19 of the Red Island light ship. Do you know if further
20 correspondence or further representations were made
21 in this connection lately?

22 A. This I can't remember.. We have met
23 with the D.O.T. officials and I suppose this may have
24 been mentioned. I can't recall for sure. I think
25 this might have been asked. I can't say either we did
26 or didn't recently, or this year, amongst other things.

27 MR. LALONDE: My lord, there is a further
28 letter this spring from the Corporation to the Department
29 of Transport which will be filed later on today. It is
30 not available. If you wish I could just add it to this



1 English

2 exhibit, I suppose.

3 THE CHAIRMAN: Yes, it could be added to the
4 bundle.

5 MR. LALONDE: The title would be entitled
6 1961 and 1963.

7
8 ---EXHIBIT NO. 666: Correspondence between the
9 Corporation of the Lower St.
10 Lawrence Pilots and the
11 Department of Transport in
12 1961 and 1963 concerning
the removal of Red Island
light ship.

13 Q. In your view it would be preferable
14 to have the light ship kept on duty at Red Island, if
C2 15 I understand correctly?

16 A. Of course. It would be a much more
17 adequate aid to navigation in such position.

18 Q. In your experiences is the Red Island
19 area particularly dangerous in your District or is it
20 an area which is more dangerous and difficult than some
21 others?

22 A. Of course, as we have mentioned
23 on previous occasions both in Chicoutimi and yesterday,
24 I mean this is an area of very strong tidal currents
25 strewn in many places with very wide and long-extending
26 reefs. Visibility on several occasions, and for long
27 periods throughout the year is nil or thereabouts, so
28 in this case you could have a fairly dangerous part of
29 the St. Lawrence to navigate, and of course a part which
30 has to be navigated with all due precautions.



1 English

2 Q. Would you mention how far the tail
3 of Red Island would extend? It seems to be wide?

4 A. I mentioned yesterday the Red Island
5 tail extends over three miles and ~~of~~ Red Island, to
6 Sandy Island there. Its extent is indicated by buoy
7 34 on the chart, a small red conical buoy with a flag
8 on it.

9 Q. Now, you have taken a ship down
10 Les Escoumains, I understand by the south channel.
11 How often is this channel used? Is it a regular course
12 for downbound ships or is a course which both up and
13 downbound ships take sometimes, less often than the
14 north channel?

15 A. Well, your second assertion is the
16 correct one. I mean the south channel can be used both
17 up and downbound, St. Laurent. It is not considered
18 as practical anymore as the main channel. It is due
19 mostly to the limited depth, I mean the several spots
20 that had been mentioned, but all the same it has been
21 used, I would say, quite frequently by some pilots, much
22 less frequently by others and nearly not at all by
23 others. It is a matter that is left up to the pilot.
24 If he feels it is safe and it might be even
25 preferable to use it on occasion -- for example you
26 might have a pilot that has been appointed to a tow,
27 which would be a slow affair. It might take at
28 least 24 hours or more to get down to Escoumains. It
29 will be a hinderance in the main channel especially
30 in strong currents. The pilot might decide to use the



1 English

2 south channel. It would be an intelligent thing to do,
3 good seamanship. It might also be taking smaller vessels,
4 low powered vessels. It is used, as I say, depending on
5 the pilot's judgment.

6 Q. Would there be an instance where the
7 water conditions would be better by the south channel
8 than by the north channel? Would there be instances
9 where you might have fog on the north side and much less
10 on the south side? Is it possible that would occur?

11 A. There are times that there would
12 be a fog bank on the north side, better visibility on
13 the south side, but I think this would be -- I don't
14 think this is a very large element to be taken into
15 consideration.

16 THE CHAIRMAN: Is that the same situation
17 about ten or fifteen or twenty years ago?

18 THE WITNESS: About using the channel?

19 THE CHAIRMAN: Yes.

20 THE WITNESS: I cannot speak as an authority
21 fifteen years ago in the St. Laurent, but from what,
22 of course, has been told us, I would say something like
23 20 or 30 years ago the southern channel was the main
24 channel and only the ~~north~~ transverse was dredged and the
25 northern channel sort of became in its own as the main
26 channel after the D.O.T. just sort of let the south
27 channel go. They didn't bother about the dredging any-
28 more or upkeep.

29 THE CHAIRMAN: It is not true some big
30 ship like the old EMPRESS OF BRITAIN used the south



1 English

2 channel? A. Yes.

3 THE CHAIRMAN: And they were obliged to stop
4 at the St. Roch Transverse for high water.

5 THE WITNESS: I think the old tranverse
6 itself, there was ample water, but in some various spots
7 we had what we call a tidal semaphore which gives pilots
8 depths of water available at Beaujeu.

9 THE CHAIRMAN: Is this all changed because
10 you didn't keep up the dredging or for other reasons?

11

12 THE WITNESS: This would have to do with
13 that. Then, again, I am just speaking from hearsay. I
14 am supposing that is what transpired. They decided
15 to put money into the upkeep of one and let the other
16 one go. I am not answering as an authority on this
17 question.

18 Q. Would you know approximately when
19 the north channel was dredged for the first time, when
20 it was opened?

21 A. I would say something like 30 years
22 ago, but as I say I am not an authority.

23 MR. LANGLOIS: I think it was put in the
24 record by Mr. Lang in Montreal it was in 1934 or 1935.

25 Q. So you weren't far off, Captain
26 Dessault. Would you indicate on which chart is Cap
27 L'Aigle?

28 A. Cap L'Aigle is chart 1201 or your
29 Exhibit 439 and lies about five miles west of
30 Cap au Saumon.



1 English

2 Q. Are there some wharves into Cap
3 L'Aigle?

4 A. There is, I would say -- now, we
5 might not be talking about exactly the same thing here.
6 There is such a thing as Cap L'Aigle which is at
7 Promontery Pass, and also about three or four miles
8 west is a Village known as Aigle where, of course,
9 there is also a small wharf, which I will underline
10 here in blue, and occasionally there again with Irving
11 Oil coasting tankers we have to go into this small
12 port. It is just a small jetty, small landing where
13 you bring a ship up alongside.

14 Q. Would you indicate generally in
15 your District, leaving out the Saguenay, what's Ports,
16 harbours, to which you might be called upon to go?
17 Would you mention them going up, let us say going up
18 river?

19 A. Starting on the north shore if
20 we would leave the Saguenay out of the picture, I would
21 say the first place we might be called to go would be
22 the shipping wharves at St. Simeon, Cap Dog, Cap
23 Salmon. Personally a couple of years I have been there
24 with tugs to pick up some barges and things. I would
25 say, always coming up river, on the north shore you
26 would have -- we just mentioned Cap L'Aigle, this
27 wharf where mostly we go with Irving Oil coastal tankers.
28 You will have a couple of miles west of that Point au
29 Pic wharf which is where we have taken ships in the
30 past -- in my personal knowledge ships have been there



1 English

2 for pulp and paper products. From there also to the
3 north we have Coudres Island Passage, I believe for
4 some years pilots have had to call into Coudres Island
5 Passage, St. Joseph's Wharf or Empress Shoal Wharf which
6 ^{not} is/a commercially used wharf. Shall I keep going?

7 Q. Yes, please keep going.

8 A. From there on going up to north there
9 is not very much. There might be an occasion when the
10 pilot might be asked to come alongside at St. Jean,
11 Orleans Island or at West Point. It happened two
12 years ago with a small Dutch tanker coming up to unload
13 live eels. Then, of course, Quebec Harbour. Coming
14 down on the south shore, the ports there are not very
15 numerous. I would say a pilot might be called to go
16 to Riviere du Loup. That might be about the only port
17 coming, port of call.

18 THE CHAIRMAN: What about Rimouski?

19 THE WITNESS : Rimouski which is still
20 inside the legal limits.

21 THE CHAIRMAN: What do you say legal limits?

22 THE WITNESS: Technically now as we start
23 from Escoumains, Rimouski -- we don't call at Rimouski
24 unless at times asked by the masters of the ships. As
25 far as that goes I should add on the north shore
26 Forestville as one of our ports, but lying now outside
27 of the working limits.

28 THE CHAIRMAN: In fact, a pilot doesn't
29 work in Rimouski or Forestville?

30 THE WITNESS: Not any more, not since we



1 English

2 moved to Escoumains.

3 THE CHAIRMAN: It is done by local people?

4 THE WITNESS : That is right.

5 Q.. I would like you to elaborate a little
C3 6 bit on the use of the south channel. In particular,
7 Captain Dessault, you mentioned that it is up to the
8 individual pilot's judgment whether to use it or not.
9 In your experience have you found the south channel a
10 very useful way of taking ships up or down? Are there
11 some instances?

12 A. As I gave before, yes. I would think
13 if a pilot was put in charge of towing, which leaves
14 much to be desired in manoeuvrability, which would extend
15 quite lengthily in the channel, if the particulars are
16 appropriate, I would say for security's sake and even
17 for the pilot's own peace of mind, and for the peace
18 of mind of all other ships using St. Lawrence at that
19 time, as towing in the District might take more than
20 24 hours -- I think that would be ideal. I think it
21 would be for the maximum speed and the safest benefit.
22 I might add here it would be another thing if for some
23 reason you had to anchor because of adverse strong
24 currents, it would be much easier to anchor off the
25 shores than if you had to anchor or increase power from
26 Cap Maillard or Cap Martin. There would be more pilots
27 using the south channel in such event.

28 Q. Would you say whether in your opinion
29 the upkeep of the southern channel is satisfactory or
30 whether it could be imprpved?



1 English

2 A. Well, satisfactory -- I don't know.

3 I simply say it could be very much improved and deepening
4 of the channel at Beaujeu, Empress Shoal and Channel
5 Patch, and such places would be more advantageous.
6 This would be for a secondary channel, not necessarily
7 30 feet, but that a larger draught than at present
8 time could be used and to extend the security of traffic
9 into the lower part of the St. Lawrence.

10 Q. Captain Dessault, I am showing you
11 a letter from Mr. Wilfred Menard to Mr. H.L. Land,
12 Chief Engineer, River St. Lawrence, Ship Channel Branch,
13 dated September 23rd, 1960 and answer by Mr. Land to
14 Mr. Menard dated October 6th, 1960. Have you been
15 aware of that correspondence?

16 -

23 -

28 -



MR/RPS

1 English

2 A. I believe, sir, to the best of my
3 recollection I was made aware at the time of this.

4 Q. I might inform your lordship that
5 representations were also made this spring, and I will
6 add to this exhibit this letter as soon as it is found.
7 May I, however, read the answer of Mr. Land to Mr.
8 Menard dated October 7th 1960, which is very short and
9 I think it is very informative. He says:

10 "Your request for Beaujeu Channel
11 "soundings is at hand. The soundings avail-
12 "able date back to 1949 and are certainly
13 "not up to date. It is not the policy of
14 "the Department to maintain the south
15 "channel. That is the reason why no more
16 "soundings have been taken in this area."

17 And signed H.L. Land. I would produce as
18 Exhibit 667, in a bundle, correspondence between the
19 Corporation of the Lower St. Lawrence Pilots and Mr.
20 H.L. Land, Chief Engineer, St. Lawrence Ship Channel
21 Branch concerning soundings in the Beaujeu Channel.

22
23 ---EXHIBIT NO. 667: Bundle of corespondence
24 concerning soundings in the
25 Beaujeu Channel. Correspond-
26 ence which took place in 1960
27 and 1963.

28 THE CHAIRMAN: Do you know of any notice
29 to mariners, or any notice being given to you with regard
30 to what is said in Mr. Land's letter to the effect that
the south channel would be not kept any more?



1 English

2 THE WITNESS: No sir, not the last few
3 years. I think this, of course, that people that are
4 navigating they know it of course by practical exper-
5 ience that nothing has been done, but I cannot recall
6 any notice, official notice saying that this channel
7 will not be kept up any more as far as dredging.

8 MR. LANGLOIS: On the same line of thought,
9 could you tell us Captain Dussault as to whether or
10 not marine charts have a caution on them indicating that
11 this channel is not to be relied on? The depth indicat-
12 ed on the charts are not to be relied on?

13 THE WITNESS: I have never seen such a
14 caution sir.

15 Q. At the present time, if a serious
16 accident were to take place in the north channel, would
17 there be some areas where such an accident could
18 effectively block traffic on the St. Lawrence River,
19 in the north channel I am talking about?

20 A. Yes sir. If you will refer back to
21 chart 1208, your Exhibit 441, if, for instance, a large
22 vessel were to have an accident, or sink, it could
23 easily block this north traverse.

24 Q. Well you said "this north traverse"?

25 A. The north traverse, let us say off
26 traverse spit, or, as far as that goes, nearly the
27 whole dredged channel starting from buoy 112 to let us
28 say just close to St. Francois-Orleans Island wharf.
29 Could easily, could nearly, if not totally block navig-
30 ation. It would certainly stop it for many hours a day



1 English

2 there in various tide, and everything would certainly
3 nearly block traffic for a practical way.

4 Q. Under such circumstances is it the
5 case that only a few ships could use the south channel
6 on the present state of that channel?

7 A. Yes sir. This, of course, this
8 south channel could only be used at any time, of the
9 tide with ships drawing less than 16 or 17 feet of
10 water, and of course, with larger draught vessels,
11 with the help of the tide but it then would also be
12 a slowdown in the traffic because this would have to
13 wait again for tidal conditions to permit them to go
14 over Beaujeau and other shallow spots.

15 Q. So that under the present conditions
16 of the south channel, this channel could be used as
17 a, let us say, a safety valve only for ships drawing
18 less than what?

19 A. At any time of the tide for ships
20 less than 17 feet of water, if you just want to make
21 it to the last inch, and depending on the rise or fall
22 of the tide for that deeper part of the vessel but even
23 then this would have to be delayed and wait for the
24 proper moment.

25 Q. I have been provided my lord with
26 the latest correspondence concerning the light ship
27 at Red Island and the letter of September 10th 1963
28 from Mr. Menard, Secretary-Treasurer of the Corporation
29 of Lower St. Lawrence Pilots to Captain Catinus of
30 the Department of Transport. This letter is in French,



1 and with your permission, I would read it into the
2 record so it could be available in English at the same
3 time.

French 4 A letter addressed to Captain W. A. Catinus,
5 Regional Superintendent of Pilots, Department of Trans-
6 port, C.P.160, Station Hochelaga, Montreal Quebec:

7 "Dear Captain Catinus:

8 At the beginning of the navigation
9 "season of the year 1961, the Department
10 "of Transport had decided not to replace
11 "at its usual position the light ship of
12 "Red Island. At that time we had protested
13 "against such a decision by sending a
14 "telegram and a letter addressed to Mr.
15 "J.W. Manning, Director of Marine Works,
16 "Ottawa.

17 "For your information, we would like
18 "to include a copy of the letter and
19 "telegram the Department of Transport at
20 "that time answered us:

21 "The removal of this light
22 "ship has been decided upon
23 "after we had succeeded for
24 "many years in changing the
25 "course of traffic from the
26 "old channel of the south
27 "shore to the channel of the
28 "north shore which had been
29 "open for the first time in
30 "1934. In 1955 our modern



French

"'pier light station was put
"'into service at White
"'Island. In 1958 a complete
"'installation of lighthouse
"'and foghorns was opened
"'at Cape of Good Hope and
"'last year the Regional Office
"'of Pilotage was transferred
"'to Les Escoumains. All these
"'changes have been done so
"'that my Department would be
"'in a position to look care-
"'fully after this channel
"'of the north shore. In
"'consequence, the light
"'ship of Red Island is not
"'necessary.'

"Since 1961 experience has shown that
"the Maritime traffic has been carried out
"regularly on the south side of Red Island
"and especially so when there is some
"fog. Now we know that the light ship of
"Red Island was extremely useful for the
"safety of marine traffic and the light ship
"Prince Shoal will be removed from its
"position as soon as the construction of
"the pier light will be terminated at
"Prince Shoal.

"We would appreciate it if you would



French

"take the necessary steps so that the light
"ship, Prince Shoal, would be placed at
"the same spot where the light ship of the
"Red Island was. That is at the place of
"the gaz red buoy No. 32B.

"Yours truly,

"Corporation Pilots of the

"Lower St. Lawrence Pilots,

"Wilfred Menard,

"Secretary-Treasurer."

(French text
folbws, pages
2373 and 2374)

English

This letter to be part of Exhibit 666.

Q. Have you been made aware of that
correspondence?

A. I was.

Q. I am going over to another subject,
on telecommunications and all that my lord, if you wish
to adjourn.

THE CHAIRMAN: We will adjourn now for a
few minutes.

---A SHORT RECESS.

---FOLLOWING THE SHORT RECESS:

Q. ~~Captain Dessault~~ during the adjourn-
ment you were requested to plot on chart 1207, Exhibit
440, the exact position of the ship TRITONICA. Would
you indicate to this Commission what position exactly
you have plotted on this chart?



Me MARC LALONDE, c.r.,

pour la Féd. des Pilotes du St-Laurent:

Elle est datée du dix (10) septembre
mil neuf cent soixante et trois (1963),
adressée au capitaine W.A. W. Catinus,
Surintendant Régional des Pilotes,
Ministère des Transports, C.P. 160,
Station Hochelaga, Montréal, P.Q.

Cher capitaine Catinus,

Au commencement de la saison de navigation 1961 le ministère des Transports avait décidé de ne pas replacer à sa position habituelle le bateau-feu de l'Ile Rouge. Nous avons alors protesté contre cette décision par un télégramme et une lettre adressée à M. J.W. Manning, directeur des travaux maritimes à Ottawa. Pour votre information, nous vous incluons copie de la lettre et du télégramme. Le ministère des Transports d'alors nous répondait que: - et je cite -

"L'enlèvement de ce bateau a été décidé après qu'on eut réussi, pendant plusieurs années, à détourner la circulation du vieux chenal de la rive sud et à l'orienter vers le chenal de la rive nord qui a été ouvert pour la première fois en 1934.

"En 1955, notre station de phare moderne sur jetée a été mise en service à l'Ile Blanche, en 1958 une station complète de phare et d'alarme de brume a été ouverte à Cap Bon Désir sur la rive nord, et, l'an dernier, le bureau régional du pilotage a été trans-



1
2 féré aux Escoumains.

3 "Tous ces changements ont été effectués
4 de façon à ce que mon ministère puisse s'occuper attenti-
5 vement du chenal de la rive nord, et il s'ensuit logi-
6 quement que le bateau-phare de l'Ilot Rouge n'est plus
7 nécessaire." - fin de la citation. -

8
9 Depuis 1961, l'expérience a démontré
10 que le trafic maritime se fait régulièrement du côté
11 sud de l'Ile Rouge et ce tout particulièrement lorsqu'il
12 y a brouillard. Nous constatons de plus en plus que le
13 bateau-feu de l'Ile Rouge était très nécessaire pour la
14 sécurité maritime.

15 Le bateau-feu "Prince Shoal" sera
16 enlevé de sa position une fois que la construction du
17 phare sur jetée sera terminée à Prince Shoal. Nous
18 apprécierions donc que vous fassiez les démarches néces-
19 saires afin que le navire "Prince Shoal" soit placé à
20 l'endroit où était le bateau-feu de l'Ile Rouge, c'est-
21 à-dire à la place de la bouée rouge à gaz No. 32 B.

22
23 Vos tout dévoués,

24 CORPORATION DES PILOTES DU BAS-
25 SAINT-LAURENT

26 Wilfrid Ménard,
27 Secrétaire-Trésorier", exhibit 666.
28
29
30



1 English

2 A. On this chart No. 1207, at his
3 lordship's request, we have plotted the position as given
4 to me of the sunken vessel, which I have marked here
5 in black lead pencil, and which I will circle now in
6 red. On the chart it just looks like two black dots,
7 just about nearly superimposed. One of them indicates
8 the position of the mast of the sunken vessel and the
9 other indicates the funnel of the sunken vessel.

10 Then on this chart, of course, due to the
11 size they more or less appear as one black dot. The
12 position of the mast of the TRITONICA is indicated as
13 latitude 47 degrees, 18 minutes and 14 seconds north.
14 Longitude 70 degrees, 30 minutes, 40 seconds west.

15 The position of the funnel, latitude 47
16 degrees, 18 minutes, 16 seconds north. Longitude
17 70 degrees, 30 minutes, 43 seconds west which is only
18 a difference of two seconds in latitude and three seconds
19 in longitude, which, of course, on this chart would
20 appear nearly identical.

21 Q. Would you please write the name
22 "TRITONICA" in the margin in red pencil? I understand
23 your information is based on the information provided
24 by Exhibit 665?

25 A. That is right.

26 Q. Which was tabled before this
27 Commission by Mr. Langlois this morning?

28 A. That is right.

29 Q. Would you indicate how wide the
30 channel is at that place?



1 English

2 A. The navigable width of the channel
3 at that spot would be a mile and a half. When I speak
4 of "navigable width" I speak of a channel at least six
D2 5 fathoms, or 36 feet of water at low water.

6 Q. Captain Dussault, you have given a
7 detailed description of navigation in your District during
8 any season. Is there any particular difficulty, or
9 any change which you would experience during what one
10 would call winter navigation? For the purpose of this
11 Commission we might call winter navigation, I suppose,
12 from what period to what period?

13 A. Well winter navigation in our
14 District is recognized from the first day of December,
15 lasting through the winter to the 8th day of April,
16 both dates inclusive.

17 Q. What are the particular character-
18 istics of Pilotage during that period in your District?

19 A. Well you would see that one of the
20 courses is the event of ice in fairly large quantities
21 in the District, in the various channels. Reduced vis-
22 ibility in many instances due to snow, blizzard, and
23 such disturbances. The lack, I shouldn't say the lack,
24 but the minimum of aids to navigation in operation.

25 Most of our buoys, of course, and most
26 floating aids to navigation have been removed prior
27 to this, and only a few ice or winter spars have been
28 left in position. Even those, after a short while,
29 cannot be relied on too much due to being taken away,
30 or taken out of position, moved out of position by ice,



1 English
2 and such.

3 I shall again refer to ice, which even at
4 times would cover large stretches of the channel. Some-
5 times nearly even blocking the ship's way, even a well-
6 found vessel, and of course then the limited visibility
7 snow, blizzards and such conditions.

8 Q. And I understand that you have two
9 pilots aboard ships from the 1st of December to the 8th
10 of April?

11 A. That is correct.

12 Q. Why do you need two pilots during that
13 period?

14 A. Well I suppose the reason could be
15 twofold. First of all: due, of course, to the icy
16 condition and snow and blizzards that you might take
17 quite a long time to manage the channel, or manage the
18 run from Quebec to Escoumains, or vice versa, from
19 Escoumains to Quebec. Might have to stop a vessel.
20 Might even be stuck in ice for any amount of time and
21 as, in most instances, you still have to keep track of
22 the ships coming up and down, with the tide, currents,
23 and use the engines and do all manœuvres, two pilots
24 are there so one can relieve the other and again in
25 conditions of very poor visibility, well one pilot
26 takes, let us say, more care just about the conning
27 of the ship, the direction of the ship. This other
28 pilot assists him as lookout and picking up the various
29 aids that could be picked up either by radar or by
30 visual means.



1 English

2 Q. I don't think you have put in the
3 record the length of the District in miles from Escoumains
4 to Quebec?

5 A. The length of the District from
6 Escoumains to Quebec is 123 nautical miles, using either
7 channel. There is no difference.

8 Q. Could it not be said, for instance,
9 that between December 1st and April 8th you have beautiful
10 days without snow and that here in Quebec you could,
11 let us say, have a beautiful day at the beginning of
12 December and there would be no reason to put two pilots
13 on board. A pilot could go on board here when it is
14 nice weather and you wouldn't need two pilots to take
15 the ship down? Would that be safe, in your opinion?

16 A. No. I would answer this by saying
17 the weather in Quebec is not necessarily the weather
18 at Escoumains or at any other points and anyone in
19 transit, if you would have icy conditions, you don't
20 exactly or you can't really know -- as well as in the
21 summer season that you figure well I can come to Quebec
22 with such a ship, such a speed and I will take so many
23 hours to get down. With icy conditions you might even
24 get stuck in ice and have to wait for the wind or tide
25 to help ease your way out of the ice. You might have
26 to reduce speed here in order not to damage your vessel.
27 You might have to proceed nearly the 123 miles at slow
28 or half speed, working this with the master who knows
29 the capability of his vessel. He thinks it isn't so
30 strong, you may use half or slow speed and this would



1 English

2 be your best speed going down. This is often the reason
3 why two pilots should be on board then.

4 Q. Do I understand you to say that you
5 never know, when you leave, how long the trip might
6 take and what kind of weather you might get during the
7 voyage during that time?

8 A. At all times, even during the regular
9 season a pilot before getting on board a ship has to
10 look at the latest weather report and such things, and
11 even, say, due to the icy conditions you don't know how
12 long it will take. It's a general agreement. It's
13 a factor of security, safety for the vessel, two of us.

14 Q. Do you have light buoys available
15 during that period of winter navigation?

16 A. No. As mentioned before, I mean all
17 floating light buoys, aids to navigation, have been
18 taken up just prior to the event of ice in the St.
19 Lawrence, which is around the 20th of November.

20 Q. Would you have lights available to
21 guide you all along there? Are they all on?

22 A. No, some of them, of course are out
23 for the whole---well I shouldn't say for the whole of
24 the winter navigation period. I mean usually all the
25 shore based aids to navigation are kept on full strength,
26 until the last day of December. From the 1st of January
27 to the last of March many of the lights are, I would
28 say nearly most of them are without keeper. Some of
29 the lights are completely extinguished and out of
30 service. Others, the original light is being replaced



1 English

2 by an unwatched light, of course, with less intensity
3 and of course is not of such adequate help.

4 There are still, at the main points, main
5 checkpoints unwatched lights available.

6 Q. Doesn't the Ship Channel Authority
7 install winter buoys for your direction in the winter?

8 A. Yes. As mentioned some winter
9 spar buoys are installed at the few locations, mainly
10 in the north traverse dredged channel to indicate the
11 two extremes of that channel but then again, these might
12 be in fairly good use until the first couple of weeks
13 when the ice is not too heavy but soon afterwards, they
14 get out of position, they are dragged out of position
15 by ice and cannot be relied upon any more, those that
16 you can still see.

17 Q. You say those that you can still see.
18 You mean to say that there are some that you cannot see?

19 A. Well some of them might be hidden
20 under ice. Some of them are even sunk or have been
21 carried away completely.

22 Q. Do you have that experience yourself
23 of such instances?

24 A. I think, sir, it's nearly every season
25 something of this sort happens one way or another.

26 Q. When you have a ship coming upbound
27 to Quebec during the winter, do you have the service
28 of tugs available in Quebec Harbour for the ships coming
29 in?

30 A. This again has to be answered two



1 English

2 ways. Until the end of the busy commercial season, let
3 us say up to the end of December or first week of
4 January we usually have tugs available, but during the
5 three main months of the winter, usually tugs are taken
6 off. I believe the business doesn't warrant them to
7 come out on a commercial basis so we must do the actual
8 working in Quebec without tugs.

9 Q. Do you have ships actually coming to
10 Quebec in January, February and March?

11 A. We have, sir, several of them in the
12 last few years.

13 Q. How do you proceed in such instances?
14 How do you manoeuvre? Just by the power of the ship?

15 A. That is right, sir.

16 Q. Have the pilots, to your knowledge,
17 opposed winter navigation in the District, in Quebec
18 Harbour?

19 A. Never, to my knowledge. On the
20 contrary, I believe it's a proven thing that it is
21 partly due to the pilots, and their contribution.

22 Q. Have you actually worked with, or
23 collaborated with the Local Authorities in order that
24 winter navigation could take place in Quebec?

25 A. We have at all times.

26 Q. I understand you were on the Board
27 of Director in 1960 too?

28 A. Yes sir.

29 Q. Have you been made aware of meetings
30 between your Corporation and the Industrial Trade Bureau



1 English
2 of Greater Quebec?

3 A. Yes sir. I know that the President
4 at the time did have some meetings on this subject.

5 Q. You did not participate yourself
6 in those meetings?

7 A. No, I did not sir.

8 Q. Since the event of winter navigation
9 in Quebec has that meant that the pilots would have
10 to be on duty or on call during those periods?

11 A. Of course sir. I mean if you have
12 a certain amount of expected traffic in the river, I
13 mean pilots in sufficient number have to be available
14 at all times to handle the traffic as requested.

15 Q. I suppose that pilots, in such
16 instances, have to go down to Les Escoumains by car
17 of bus to take the ships. Do you experience particular
18 difficulties during that time in terms of waiting
19 for ships and delays at Les Escoumains?

D3 20 A. Yes. I won't say we experience
21 difficulties. We have experienced sometimes long
22 waiting periods (shall we say, due to ice
23 conditions below Les Escoumains and ships' agents
24 had requested the pilot to be on standby at Escoumains
25 for such an hour, such a date and the vessel might have
26 been delayed after that and no notice was given to
27 us and some of our pilots, I believe, have waited
28 as long as two and three days there, waiting for the
29 vessel on standby.

30 Q. And who pays your expenses when you



1 English

2 are going down to Les Escoumains and you are waiting for
3 a ship there?

4 A. Each pilot pays his own expenses.

5 Q. It is the same rule, I understand,
6 as during the normal season of navigation?

7 A. That is right.

8 Q. Now I would like to ask you a few
9 questions about telecommunications and radio-telephone
10 in the part of the District which you have described
11 here. You have given evidence in Chicoutimi about
12 difficulties in the Saguenay River. I think you have
13 heard some of the evidence given in Quebec by various
14 witnesses on this question of telecommunications and
15 radio-telephone. Would you indicate, from your experience,
16 what are the main areas of difficulties which you may
17 meet while piloting?

18 A. Well between Escoumains and Quebec,
19 we should start by saying if you have a ship equipped
20 with W.T., that is wireless telegraphy, there is no
21 difficulty. Then you will be able to get any message
22 transmitted.

23 On the other hand, like we have many
24 vessels only fitted with radio-telephony. There are
25 various areas where we experience trouble in reaching
26 Quebec and I believe that I could very well agree with
27 yesterday's witness, Mr. Cloutier in mentioning specially
28 this area from Cape Gocse up to Cap Brule as being,
29 I would say, the area.

30 I believe that Mr. Cloutier said yesterday



1 English

2 is -- I can only substantiate this on the radio-telephony
3 part; just about as exact as can be.

4 Q. Would you proceed?

5 A. Well as I mentioned, I mean on this
6 District all along the high land there from Cape Goose
7 and up to Cap Brule at times we have received -- we
8 seem to have a lot of difficulty by radio-telephony
9 in reaching Quebec and getting any service message or
10 E.T.A.'s at times such as these. I would not add anything
11 more to Mr. Cloutier's evidence yesterday. I think
12 it was about as good as can be on that.

13 Q. Are there any other areas where you
14 have trouble? Are there any other dead spots between
15 Les Escoumains and Quebec?

16 A. Well I have never noticed. It's always
17 -- the part usually below Cape Goose any transmission
18 that we have is usually directed to our own people at
19 Les Escoumains, the Pilot Office or our pilot boats.
20 This usually works out fairly well.

21 Q. Are most ships equipped with VHF
22 in your District? At least most of the ships you have
23 taken?

24 A. No. There is a large number of ships,
25 sea vessels we call them, salt water ships which are
26 not so fitted with VHF. On the other hand, most of the
27 inland traders are usually fitted. I might add this is
28 a great help, especially ship to ship communication in
29 poor visibility or in close quarters situation. This
30 is quite an added safety.



1 English

2 MR. LANGLOIS: Captain Dessault when you
3 say "inland" are you referring to ships going up the
4 Seaway?

5 THE WITNESS: Yes.

6 MR. LANGLOIS: Not necessarily all inland
7 ships?

8 THE WITNESS: No.

9 Q. Would you say that it would be
10 advantageous if all ships were equipped with VHF?

11 A. It would certainly be very advantageous,
12 from a communications point of view, and also to add
13 a safety device to the ship, especially in close quarters
14 or in narrow channels or in poor visibility.

15

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PB/RPS

1 English

2 It would be instant communication between
3 two masters or two pilots or all the people interested
4 in the safety of the vessel, in the safe navigation
5 of the vessel.

6 Q. Have you noted an increase in the
7 number of vessels equipped with vhf coming up the
8 St. Lawrence?

9 A. As I mentioned, the type of ship we
10 normally know as lakers are so equipped, and I must
11 say that I would note too a large proportion of deep
12 sea vessels are also so equipped.

13 Q. During the time you have been on
14 the Board of Directors of your Corporation have you
15 made representation to the Authorities reporting complaints
16 about difficulty in communicating with the radio station?

17 A. Yes, we have at various times made
18 representations to the appropriate Authorities concerning
19 this hinderance -- not hinderance, but this trouble
20 in communication with the Quebec station, the vcc in
21 Quebec radio.

22 Q. Some documents have already been
23 put in as exhibits in this regard. Unfortunately I
24 don't remember exactly what the number was in connection
25 with complaints from pilots about radio-telecommunica-
26 tions. I have here some more letters and as soon as we
27 have the number we could add to that bundle which has
28 been produced at the time. I am showing you Captain
29 Dussault two letters: one the 27th of July, 1961
30 addressed by Mr. Menard, Wilfred Menard, Corporation of



1 English

2 St. Lawrence Pilots to Captain Jacques Gendron and another
3 one of May 9th, 1960 from Mr. Menard to Captain Allard.

4 THE CHAIRMAN: I think this Exhibit 573,
5 a letter from Mr. Gendron to the pilots re telecommunica-
6 tions.

7 MR. LALONDE: Q. Would you tell the
8 Commission whether you have been made aware of such
9 complaints?

10 A. I have, sir.

11 Q. I have also another letter dated
12 September 26th, 1961 from Mr. Menard to Captain Gendron,
13 again on the same subject.

14 A. I have also . . .

15 Q. You have also?

16 MR. LALONDE: What was the number, my lord?

17 THE CHAIRMAN: 573.

18 MR. LALONDE: It seems to be a letter from
19 Captain Gendron to the pilots.

20 THE CHAIRMAN: Yes.

21 MR. LALONDE: We could add to that. There
22 is another exhibit. We could add these documents to
23 Exhibit 573, the Exhibit which has been put in. It is
24 in answer to one of the complaints here.

25 Q. Is there anything else you would
26 like to add on the question of telecommunications or
27 radio-telephone?

28 A. No, sir, I believe Mr. Cloutier,
29 yesterday's witness, being an expert is much more
30 qualified than I am. I would just substantiate his



1 English

2 testimony.

3 Q. Have you been pretty well consistently
4 on duty during the last eleven years? Have you been
5 piloting every year for the past eleven years, ever since
6 you have been an apprentice, I should say?

7 A. Yes, I have. When you say constantly,
8 do you mean . . .

9 Q. You haven't been absent for a year
10 or two years because of sickness?

11 A. No, I might have been away during
12 every winter working as master on vessels, as an
13 instructor in navigation schools. That was off-season.
14 During the season I might have been away one or two
15 months at a time, relieving masters on vessels.

16 Q. That was during your apprenticeship?

17 A. Yes, sir.

18 Q. What is your experience in relation
19 to the present and the co-operation of officers and
20 masters of ships while piloting in your District?

21 A. My personal experience is that the
22 co-operation given has always been of the highest
23 order. I have absolutely no complaints on this subject.
24 The co-operation for those on the watch, the officers
25 or masters of the vessels, in my case, has always been
26 first class.

27 Q. When you go aboard a vessel at
28 Les Escoumains, who is in the wheelhouse, generally?

29 A. Well, the master is always in the
30 wheelhouse on hand to greet us and to exchange the usual



1 English

2 formalities. We always inquire, as I mentioned about
3 him having satisfactory quarantine or immigration or
4 various things. If not we help them along. He was
5 always on hand to give us whatever information concern-
6 ing the handling of the ship, such as speed, handling
7 power et cetera or any peculiarities such as special
8 notice to be given to the engineers for reducing or
9 such things. The master is, it is very rare occasion
10 when the master wasn't on hand to greet us, and usually
11 with good reason, a matter of sickness or something
12 like that, and then he was relieved by his senior
13 officer.

14 Q. What kind of regulations are you
15 referring to when you say you inform the master about
16 various regulations he might not be aware of?

17 A. Well, I think that they are mostly
18 in a general sense. The most important one here would
19 be concerning the free pratique to be granted to his
20 vessel which he would receive by radio. If he is not
21 we help get a message. Sometimes he is not conversant
22 with this. We always also make a point, and sometimes
23 give him printed notices concerning the pollution in
24 inland waters. We might point out such things, if he
25 is a ship in ballast, we might point out in Quebec and
26 Three Rivers we will have to have an accommodation ladder
27 ready for a pilot to board, and any such things. We
28 sort of help him along. It might be a stranger in our
29 waters. It is just done in the good spirit of co-oper-
30 ation.



1 English

2 Q. I notice Article 70 of the Quarantine
3 Regulations produced before this Commission as Exhibit
4 91 states that every pilot who fails to provide the
5 masters of a vessel with a copy of these regulations in
6 accordance with Section 7 is liable to a penalty not
7 exceeding \$50. Have you been provided with copies of
8 these regulations regularly?

9 A. I wouldn't say we have been provided
10 regularly. I was provided at one time with one copy
11 that I carry with me at all times while piloting, and
12 if necessary I lend it to the master when there is a
13 special point he raises. We use my copy to inform him
14 if he doesn't have a copy of his own.

15 Q. To your knowledge the Department
16 of Health and Welfare, Canada, has not provided copies
17 at Les Escoumains which you could have handy and taken
18 aboard the ship?

19 A. I believe the pilots have their own
20 copy and it is used extensively to help the masters. That
21 is all.

22 Q. In the Quebec Station, at Quebec
23 Pilotage Station they don't have either, available for
24 each pilot, such regulations?

25 A. I have never seen them.

26 THE CHAIRMAN: Should we go so far as to
27 ask whether they ever requested any?

28 MR. LALONDE: Q. Were any ever requested?

29 A. I think, sir, having one copy usually
30 satisfies the thing.



1 English

2 Q. If you need a copy what do you do?
3 Where did you get yours?

4 A. My own was furnished me from the
5 Pilotage Authority. Some years ago they awarded me my
6 present copy. I believe if there is a change in part
7 they will forward a new copy.

8 THE CHAIRMAN: We will say that you respect
9 the spirit but not the letter of the law.

10 MR. LALONDE: Q. Has the Department of
11 National Health ever written a pilot or to yourself,
12 to a pilot you wouldn't know, about this matter?

13 A. Not to my knowledge.

14 Q. Not to your knowledge. You refer
15 to pollution and quarantine, are there any other matters
16 you raise with the captains, masters of the ships when
17 you go on board?

18 A. As I said we generally ask of
19 peculiarities concerning his own vessel, which, of course,
20 will be part of our work, and especially so if we have
21 to tie up or berth a ship at arrival at Quebec or any
22 of the intermediate Ports. We will ask him such things
23 as speed, I mean if his propeller is on the left or
24 right, if he has two, about the engines reversing
25 power, any such things, length of time to lapse before
26 engines are ready for manoeuvring, type of engines,
27 manoeuvrability et cetera. I think this is just part
28 of the seamanship part of our work.

29 Q. Yes. You said that you go on board
30 and you ask whether the quarantine report has been made.



1 English

2 Did you state that?

3 A. We usually ask the Captain if he has
4 received his free pratique, which is a ~~permission~~ granted
5 to a vessel in transit. Quebec is the main quarantine
6 entry Port in St. Lawrence, but when ships are proceeding
7 further than Quebec, then to enable the vessels not to
8 lose any time in transit and to make a quicker passage,
9 and make port speed, the ships are granted what we call
10 a free pratique and the medical authorities inspect the
11 ship at arrival at its terminal point.

12 Q. Do I understand this is the usual
13 and normal responsibility of the pilot? You are respon-
14 sible for that?

15 A. I don't know. We have always been
16 told to inquire. Which is just, I believe, good co-oper-
17 ation with the ship people. That is all it is. It is
18 not too much trouble to do that.

19 Q. Now that you have gone on board the
20 ship you say that the master then retired and you are
21 left. Who are you left with?

22 A. May I object.. I never did say that
23 the master retires, not yet, anyway. I just said that
24 he was there to greet us on arrival and give us the
25 various peculiarities and greetings at this time.

26 Q. Then, whom are you left with?

27 A. Depending on the masters, and also
28 depending on the weather conditions -- the master might
29 stay there for hours to come if the visibility is poor
30 or nil. Even in clear weather, I mean the master might



1 English

2 be the type that likes to have a few words with the pilot,
3 or keep an eye on pilotage. It might be the man hasn't
4 come here for some years, or is coming for the first
5 time and he is interested in having a look around. He
6 might stay with us on occasions for a few minutes or
7 for many hours.

8 Q. I would like to ask you a question
9 in connection with ships which come, let us say regularly
10 in the District. I am not referring to a ship that
11 would come once a year or twice every two years. Is
12 it your experience that you would have the same man
13 available with you, the same officer or the master
14 available with you in the wheelhouse during each trip?

15 A. You mean from trip to trip to have
16 the same people?

17 Q. Yes?

18 A. It happens on occasion, but I
19 wouldn't say it is usual. It happened -- I mean in the
20 ordinary run of things, you usually might even have a
21 different master. You might have a different officer.
22 We might find the same master but on a different ship,
23 or the same officers with a promotion on a different
24 ship. I wouldn't say that -- you can't really expect
25 from one trip to the next to find the same people there.

26 Q. I presume that the officers work
27 on watches?

28 A. On watches, that is right, sir.

29 Q. Does it happen regularly that they
30 would change watch while you are piloting in the District?



1 English

2 A. They will certainly change watch.

3 There watches are a maximum of four hours. I have
4 yet to find a ship which negotiated the whole District
5 in the four hours. They would change many times. The
6 watch would change from two to three times to eight
7 to nine times depending on the length of time taken
8 to go up river. I lately had a ship that took eighteen
9 hours. They would have changed the watch quite a few
10 times.

11 Q. What type of ship was that?

12 A. A laker.

13 Q. A lake ship?

14 A. A lake ship.

15 Q. Have you ever had the experience
16 of a master of officer who had stayed up all the way?

17 A. Oh, yes.

18 Q. In the wheelhouse?

19 A. It does happen on occasions, say
20 visibility is nil or there is dense fog at Escoumains.
21 The master, of course, has been there, for, I don't know
22 how many hours on the bridge. He is looking after the
23 safety of the vessel. He, of course, stays on the
24 bridge until the visibility clears. This might only
25 happen a few miles before we come to Quebec. It might
26 not even be before we get to Quebec, so the master
27 would have been there on duty or available for instant
28 notice, either in the chartroom or in the wheelhouse,
29 but it would be on the bridge and available.

30 Q. From statements made in the past the



1 English

2 river is pretty wide and deep in this District and that
3 ships can handle themselves without pilots, even on a
4 regular basis: What would you say in connection with
5 such a statement? What has been your experience?

6 A. Well . . .

7 Q. Both as a former master of a ship
8 who was plying on the river and as examiner of masters
9 and mates and as a pilot?

10 A. Well, to this I would answer that it
11 is always possible, but if you want to consider the
12 possibility for a greater safety, or I would say even
13 greater safety of handling vessels -- I think it is
14 proven in many instances that vessels ordinarily use
15 pilots and on one occasion don't use a pilot, just
16 wanted to go out and they make much less speed than they
17 do when they use pilots. If you employ a pilot you
18 will gain in speed and you will gain in safety. I don't
19 know or say it is impossible not to do it. It could
20 be done with the proper precautions, the proper knowledge,
21 but he would certainly gain speed and safety if he
22 used a pilot, and I think that is really the basic
23 reason for employing a pilot, to put your ship in safer
24 hands and in speedier hands.

25 Q. Have you ever had difficulty meeting
26 some ships without pilots, and I am not referring here
27 to very small coastal vessels, but ships around one thou-
28 sand tons and over?

29 A. Yes, sir, it has happened to me and
30 other pilots I believe on several occasions, but as I



1 English
2 say again, and this is a little bit associated with your
3 last question: you can pilot a ship in many ways. You
4 can keep her afloat between two banks, and you sooner
5 or later get where you want to go. It is the difference
6 between good and efficient navigation and it has been
7 my experience some coastal vessels, fairly large coastal
8 vessels, I have met in dangerous ways. This was caused,
9 I suppose by, I will not say complete lack, but not a
10 very good knowledge, especially in the currents of the
11 St. Lawrence. As a matter of fact that happened person-
12 ally to me once with a coastal Shell Oil tanker, which
13 left much to be desired in navigation.

14 Q. Statements have always been made in
15 the past that pilots consider it important that they
16 should know that a pilot is on board a ship they are
17 meeting, and that they know their ways, their mutual
18 ways. Is that true at all, and can it influence the
19 way you are handling a ship?

20 A. Well, influence the way of handling
21 a ship -- that might be hard. I think any good pilot,
22 in any case, would always handle a ship with the utmost
23 care, to the best of his knowledge and capacity. On
24 the other hand, referring to the first part of your
25 question it is quite a help to a pilot to know there
26 is another pilot on the other ship. Like in any
27 corporate body we always talk. We talk to each other.
28 We have gentlemen's agreements, you could say, but
29 in dirty weather, let us say, we will use -- when we
30 have two channels, downbound we would use the south of



1 English

2 Red Island and upbound ships would use the north part
3 of Red Island. This will eliminate close meetings and
4 of course it will diminish the danger of collisions in
5 the fog and such things like that. If a ship is not
6 using a pilot he might decide to do exactly the contrary.
7 By law he is entitled to do that, but right away your
8 safety factor has been reduced by that much. This would
9 be the general idea. Of course we have a general
10 pattern, I should say a similarity, and of course we
11 can pretty well expect what the fellow will do next.

12 Q. That was the point I wanted to come
13 to. You referred to the fact that you navigate on the
14 same general pattern. Is that your experience?

15 A. I would say, yes, sir.

16 Q. And that you have a general pattern,
17 the way the pilots are handling the ships in the District?

18 A. Yes, sir, and this, of course,
19 enables the other pilot to navigate his ship with a
20 larger safety factor. I don't say in all cases we would
21 do the same thing, but generally speaking we would just
22 about use the same course, pass the course points at the
23 same distance and do such things in about the same
24 way.

25 MR. LALONDE: Thank you, Captain Dussault.

26 THE CHAIRMAN: Mr. Langlois?

27
28 DIRECT EXAMINATION BY MR. LANGLOIS:

29 Q. Captain Dussault, yesterday I am
30 afraid we missed one of the ferry boats going across the



1 English

2 river between Les Escoumains and Quebec. Is there a
3 ferry service between Les Escoumains and Trois
4 Pistoles?

5 A. That is right, it is running every
6 day during the navigation season, and sometimes several
7 times a day. The ship is called the M.V. RAZODE and
8 operates between Escoumains wharf and Trois Pistoles
9 wharf.

10 Q. On a regular run?

11 A. On a regular run, scheduled service.

12 Q. Now, you also mentioned yesterday
13 the course followed by the small coastal vessels going
14 in and out of Saguenay River. Would it be possible
15 for you to describe this course or put it on the chart?

16 A. I could always do it in a general
17 way. I would say some vessels might have small
18 peculiarities which are going to change. The general
19 idea is that they usually come, they are coming into
20 the entrance, making the entrance inbound to the Saguenay
21 River, from, let us say any point west of the Saguenay.
22 They will come, as I mentioned -- they will come and
23 meet quite close to 96, come down along the bank, and
24 in most instances they will sort of cut the corner
25 across the bank. These are small vessels, very seldom
26 going more than 12 or 14 feet of water and they can
27 do what the larger and deeper draught vessels cannot
28 do. So they will come around the bank if it is high
29 water, cut as much like this. The average thing is
30 to come halfway between 96 and the light vessel and come



1 English

2 over the bank, and always keep about 2 fathoms of water.

3 THE CHAIRMAN: When you say like this,
4 it is like the pencil mark you have drawn.

5 MR. LANGLOIS: It is a blue pencil.

6 THE WITNESS: This wouldn't be actual. I
7 am giving a general idea of what they are doing.

8 Q. Would you know what landmarks they
9 are using to shape the courses in and out of Saguenay
10 River as a rule?

11 A. There are -- it is not shown on this
12 chart. It is on the Saguenay charts we had in
13 Chicoutimi. We had the various leading marks to go
E3 14 out there. I believe one of them is La Boulet
15 mountain, and Pointe Noir -- that is one of their
16 marks.

17 Q. La Boulet mountain and Pointe
18 Noir in line?

19 A. Something like that, sir. I believe
20 there are, of course, other ~~unofficial~~ marks that enable
21 you to go ^{through} ~~if you~~ the patches and shoals there. There is
22 the Hotel Tadoussac and a beacon in the back. They can use
23 that. ~~These are local marks they can use.~~

24 Q. Are there many bateaus or small
25 coastal vessels using Saguenay River?

26 A. No, sir. I can't say anything about
27 their number, but I would say there are several of them,
28 and in any one day in the Saguenay, if you are upbound
29 or downbound you will meet several at one time.

30 Q. In what trade, would you know, are they



1 English

2 employed mostly?

3 A. I would say the large majority are
4 employed in the pulpwood, carrying it to the Consolidated
5 Paper Company at Port Alfred, the Consolidated Pulp and
6 Paper wharf at Port Alfred. A few are handling sawing
7 timber from the various settlements of the Saguenay
8 River.

9 Q. And this pulpwood will originate
10 where?

11 A. It might originate from just about
12 any of the small villages and wharves on the lower part
13 of the St. Lawrence. When I say lower part of the St.
14 Lawrence, I would say this would be from -- even as far
15 up as St. Jean, Port Joli or any of these ports which are
16 only 35, 40 miles from Quebec.

17 Q. On the south shore of the St. Lawrence?

18 A. On the south shore of the St. Lawrence,
19 mostly, and a few ports on the north side like St.
20 Simeon and places like that.

21 Q. I understand that vessels using this un-
22 usual way of getting in and out of the Saguenay River
23 will be crossing the tracks of schooners either in or
24 outbound on the St. Lawrence River?

25 A. Oh, yes, you will meet these small
26 schooners just taking every imaginable course in the
27 St. Lawrence depending where they are coming from. They
28 will come from nearly all angles. You might have one
29 spot, maybe three or four coming around from various
30 angles and crossing, depending on what settlement or



1 English
2 wharf they are coming from, and making for this
3 entrance. It must always be taken into consideration.
4 They hardly have enough speed to counteract the currents.
5 They are more or less going sideways at times.

6 Q. How do the small coastal vessels
7 comply, generally speaking, with the rule of the
8 St. Lawrence River regulations to the effect that ships
9 with draughts of less than nine feet between Quebec and
10 Father Point are to keep away from steamers' tracks?

11 A. Well, I wouldn't like to indite
12 one and all. I would say some are very good, and
13 could even be praised. However, some of them are far
14 from being even good.

15 Q. Is it not -- I don't want to lead
16 you too much, because I am also in direct examination.

17 MR. JACQUES: That is something new for
18 you.

19 MR. LANGLOIS: It is an example that should
20 be followed by some of my confreres.

21

22

23

24

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/MR/RPS 1 English

2 THE CHAIRMAN: Those other small schooners
3 are your other clients behaving like that?

4 MR. LANGLOIS: We will see, as we go on,
5 there is a great improvement in this respect my lord.

6 Q. Would you tell the Commission what
7 kind of target, radar target are these schooners, as
8 a rule?

9 A. Well the wooden ones are to be met
10 with caution, as their response usually to radar is
11 far from as good as the steel vessel or steel targets.

12 Q. When you say "wooden ones" would
13 you be able to give us the percentage of wooden schooners?

14 A. I would say that in the category of
15 vessels that we call schooners in the St. Lawrence, they
16 are something like 75 per cent wooden vessels. I mean
17 there is 75 per cent of the vessels are wooden schooners.
18 I don't know whether -- it is hard to say -- I would
19 say there is a large number of them.

20 Q. Would there be a means of improving
21 the target obtained on radar from wooden schoocners?

22 A. Yes. As a matter of fact this I
23 think has even been discussed with the owners and their
24 Association. Of course any steel fitting on their
25 ship, high up on the mast improves their being picked
26 up; their being a target. Radar reflector could easily
27 be fitted either on the top of the wheelhouse or on
28 top of the ~~masthead~~ or something like that which would
29 help to improve this situation.

30 Q. Your Association has taken this matter



1 English

2 up with the owners of these smaller coastal vessels?

3 A. I believe we have sir.

4 Q. We have mentioned these small coastal
5 vessels carrying pulpwood up the Saguenay River. Do
6 you know to what Ports these schooners will carry
7 pulp?

8 A. Well of course as we mentioned, just
9 to every wharf, nook and cranny, and so forth and going
10 up the Saguenay also take it up to Beaupre which is
11 on the north side of the St. Lawrence and north of
12 Orleans Channel, mentioned by your lordship yesterday,
13 and I think I have mentioned that some of the vessels
14 are still using part of that channel and are going up
15 to Beaupre where there is a paper mill there.

16 These are sometimes a bit of worry to us
17 in a way -- not shown on this chart, but they are
18 going to many small Ports, such as Beaupre, Berthier
19 Islet, St. Jean, Port Joli and Crane Island, as far
20 as that goes.

21 Q. On the south shore?

22 A. On the south shore and even further
23 down, and then they make a course right across all these
24 islands, just going in each direction they go through
25 here with the rising tide, and then cut right across
26 our course in the north traverse here or on the Cap
27 Brule range.

28 Q. Would you indicate on that chart
29 in blue pencil the course which the schooners would
30 follow?



1 English

2 A. This will be approximate. Might even
3 go to the Island here (indicating).

4 Q. This is on Exhibit 441.

5 A. Might even do something like that.
6 As you see, we are very limited in space here, in that
7 narrow dredged channel. Of course, sometimes we meet
8 them in close quarters and it would be a fairly difficult
9 affair.

10 Q. The schooners loading pulp who are
11 in Ports to the east of those that you have just mentioned,
12 say, east of, for example, Trois Pistoles, what would
13 be their normal course coming up the river with their
14 loads?

15 A. Well I mean they would either use
16 the north or south channel. There again I say they have
17 a lot of peculiarities here. Sometimes they even have
18 courses which for the uninitiated might be hard to
19 understand; might have round-about ways. It will
20 depend on the state of the tide, the time they have left
21 their port and they might be going out of their way
22 three or four miles, they might have a chance to spend
23 falling tide at home. This means sometimes you might
24 find a ship loading here, coming up to Beaupre and then
25 going down this way (indicating).

26 The tide doesn't give him a chance to go
27 home for a few hours. This helps to illustrate that
28 you can meet these fellows from just about every direction
29 possible.

30 Q. The witness is using chart filed as



1 English

2 Exhibit 440 and is indicating a course. Would you indic-
3 ate that course?

4 A. Might be coming, of course, from
5 any direction. A large number of these fellows, of
6 course, live in St. Joseph de la Paine, Ile aux Coudres
7 and Petite Riviere or they might be coming from any
8 direction, either from the north, from the main channel
9 or from the south. Some of them might be coming right
10 across from here (indicating), To the various Ports.
11 There is about half a dozen of them on the south shore
12 here and calling into, of course, their own Ports you
13 could say.

14 Q. So if I understand your testimony
15 correctly, you are liable to have some of these small
16 vessels cross your tracks in about every part of your
17 District?

18 A. That is correct.

19 Q. Mention was made a while ago of
20 this rule in the St. Lawrence regulations that schooners
21 drawing less than nine feet are to keep away from the
22 steamers, especially the steamers track. Is that not
23 an exception to that rule?

24 A. In some spots, there is an exception
25 to that rule where they have to use the main channel,
26 I mean because in the various places in the dredged
27 channel they will be heading ashore with no water outside
28 of the channel. In those cases they are permitted to
29 use the channel.

30 Q. I think you misunderstood my question.



1 English

2 I was referring, and I hope I am not leading my lord,
3 because this is in the rule itself, that the exception
4 is that they do not have to keep away from the steamers'
5 track when they are crossing the channel from north to
6 south or south to north.

7 THE CHAIRMAN: Would you tell me what their
8 average speed is?

9 THE WITNESS: I would say the average speed
10 would be, I would be fairly safe in saying seven to
11 four knots. Of course the new ones, the larger ones
12 they had a tendency to increase their speed and size.
13 But the normal ones, I would say the wooden ones, the
14 wooden-built schooner today the average, except maybe
15 for the rare exception, eight knots would be their
16 maximum speed and less. I would even say some of them
17 might be less than seven.

18 THE CHAIRMAN: At various times with a
19 faster ship you are obliged to overcome them?

20 THE WITNESS: Yes. This happens many times
21 every trip. Yes sir, we are overtaking them sometimes
22 as much as a dozen a trip.

23 Q. Now is it to your knowledge that
24 the masters of these schooners are -- it must be to
25 your knowledge since you are a Master. -- in Quebec are
26 now taking courses to qualify themselves for master of
27 inland marine water?

28 A. Yes sir the last few years has
29 seen a lot of improvement on that score. Their qualific-
30 ations started to rise appreciably. Still a lot to do but



1 English

2 quite encouraging.

3 Q. Is it not a fact also that there
4 are quite a number of schools, two or three winter
5 schools in this District where pilots in the winter
6 months teach these masters?

7 A. That is it exactly. We have right
8 now four schools available for the local people in the
9 winter months.

10 THE CHAIRMAN: So they have good guidance
11 for the last few years?

12 MR. LANGLOIS: I am changing the subject
13 now my lord.

14 THE CHAIRMAN: We will break now and we
15 will adjourn until 2:30.

16
17 ---LUNCHEON ADJOURNMENT.

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A/MR/RPS 1

English

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---UPON RESUMING AT 2:30 P.M.

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COMMISSIONER SMITH: Before the examination continues, some of the evidence of Captain Dussault reminds me of the appointment of a Commissioner under The Equiries Act 25 or 30 years ago to investigate the question of the small schooners on the St. Lawrence interfering with the navigation and my recollection is at that time that Mr. Justice Lucienne Gannon was appointed and made some findings and some recommendations.

13

14

15

16

17

18

I am wondering if perhaps some older pilot or somebody in the Organization, or in the Corporation could indicate whether conditions have improved since that time, because of these regulations which I think were asked by the Government afterwards, or whether it is just as bad as it used to be.

19

20

21

22

23

MR. LANGLOIS: My lord, in this respect I have in my office a copy of the report of this Commission of Inquiry, Board of Inquiry by the late Honourable Justice Gannon, and I have undertaken to supply a copy to my learned friend, Mr. Jacques.

24

25

26

We will go over it and I understand, if need be, some witnesses could be called to substantiate or to put on the record what Mr. Smith just mentioned.

27

28

THE CHAIRMAN: All right, thank you.

French 29

30

(THROUGH THE INTERPRETER.)

MR. LALONDE: Before proceeding with the



1 French

2 examination of the witness, I would like to draw your
3 attention to two headings of newspapers. One of the
4 Quebec newspapers, L'Evenement on Friday the 13th,
5 1963, on page 3 with the heading "A pilot would have
6 used narcotics and caused accidents" and even more,
7 a newspaper, Le Devoir from Montreal of Friday the
AA2 8 13th 1963, page two, the heading being "Pilot on two
9 accident ships was narcotic addict".

10 In relation to this second heading, I
11 think everybody would agree that nothing in the evidence
12 submitted to this Commission shows in any way that
13 a pilot was an addict. To the contrary, if one reads
14 the articles as they are written, one would see that
15 nothing in the article itself would justify such a
16 headline, such a screaming headline.

17 You already drew the attention of the
18 press over the necessity to be very careful about
19 relating events of this Commission and I do not want
20 to influence you unduly on this point, but I request
21 that the headlines, such as the one the Le Devoir is
22 completely irresponsible and is of such a nature that
23 could cause prejudice in the public opinion, could
24 be prejudicial for the clients I represent.

25 I know very well that the reporters who
26 take the notes here in the Commission are not the
27 ones writing the headlines but I thought it was my
28 duty to draw the attention of the Commission, especially
29 on the L'Devoir headline which is not true to the
30 facts and I hope that this newspaper will make the nec-



1 French

2 essary correction.

3 THE CHAIRMAN: In the two headlines that
4 you have read, it was, apparently, not what was stated
5 in the report, in the recording, but I think you are
6 complaining only about the two headlines. The facts
7 are true in the article. The article is true as to
8 the facts.

9 Personally, I do not think in the evidence
10 that was given yesterday anything was shown that could
11 say that the pilot was a narcotic addict. The fact
12 that one uses narcotics does not imply that he is an
13 addict because he could be under the treatment of a
14 physician and he may have been administered drugs against
15 his will.

16 The same is true with somebody who takes
17 a drink of alcohol is not an alcoholic. Anyone who
18 would have to take narcotics under treatment of a
19 physician is not an addict so I think this is making
20 a judgment that even a court would not have made.

21 About the drafting of the second headline,
22 different elements taken separately is true. He has
23 used narcotics and two accidents happened. But the
24 facts that they have been two together can go further
25 than the evidence that has been given. On this I think
26 you are right. There may be reasons to print such
27 headlines but we have to think of the charity, even
28 plain Christian charity and one should not destroy
29 somebody's reputation by stating facts unless you are
30 completely certain of the facts and I think that even



1 French

2 in the elementary course of justice in our country
3 it should be that somebody is innocent unless proof
4 to the contrary is given.

5 MR. LALONDE: Thank you my lord.

English 6 French text of above follows.

7 DIRECT EXAMINATION BY MR. LANGLOIS (CONTINUED):

8
9 Q. Captain Dussault I have here chart
10 1203 filed as Exhibit 436 and on this chart there is
11 a line drawn in blue pencil at the entrance of the
12 Saguenay River and written there, the end of this line
13 leading towards the river "schooner". Would you explain
14 this line? Who put it on? What it does represent?

15 A. At the recess at noontime your
16 lordship, I have drawn this line on this chart myself.
17 I have inscribed the word "schooner" to make sure they
18 would not be confused with some of my previous testimony
19 given in Chicoutimi and to show the course that many
20 of these river schooners which we talked about earlier
21 this morning use, coming in from the westward and
22 entering the Saguenay River.

23 They also, of course, use this same course,
24 I mean, many times coming out if they are bound to any
25 Ports west of the Saguenay. This would indicate on the
26 chart the explanation in addition to my testimony
27 concerning which I gave previously this morning.

28 Q. Captain Dussault yesterday in your
29 testimony, and also in the evidence that you gave in
30 Chicoutimi the other day, mention was made of the swift



C A N A D A

COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L'HONORABLE YVES BERNIER, J.C.S.,
Président

Monsieur ROBERT K. SMITH, c.r., commissaire,
Monsieur HAROLD A. RENWICK, commissaire,
Monsieur GILBERT NADEAU, secrétaire.

SEANCE DE L'APRES-MIDI

Le treizième jour de septembre, l'an
mil neuf cent soixante et trois:

Me MARC LALONDE, c.r.,
pour la Féd. des Pilotes du St-Laurent:
Avant que mon confrère continue
l'examen du témoin, j'aimerais attirer
votre attention sur deux entêtes de
journaux: L'une, un journal de Québec,
l'Evènement du vendredi, 13 septembre
1963, en page 3. L'entête se lit:
"Un pilote aurait fait usage de nar-
cotiques et causé deux accidents,"
- et notamment, davantage encore,
au journal Le Devoir de Montréal,
vendredi 13 septembre 1963, en page
2, l'entête se lisant: "Le pilote
de deux navires accidentés était



1
2 nacomane," - en particulier en
3 rapport avec cet dernier en-tête,
4 je pense que tout le monde sera
5 d'accord pour dire qu'il n'y avait
6 rien dans la preuve entendue devant
7 cette Commission durant ces jours
8 derniers, qui aurait indiqué de
9 quelque façon comme preuve qu'un
10 pilote était narcomane, au contraire.

11 D'ailleurs, même si on lit les points
12 tels qu'ils sont rapportés en-dessous
13 de l'entête, du titre, on s'aperçoit
14 qu'effectivement rien dans l'article
15 même ne justifie un en-tête aussi
16 tape-à-l'oeil.

17
18 Vous avez déjà attiré l'attention de
19 la presse sur la nécessité de tenter
20 de rapporter fidèlement les évène-
21 ments, et je ne veux pas insister
22 indûment sur ce point, mais il est
23 évident qu'un en-tête comme celui
24 qui apparaît dans le Devoir en par-
25 ticulier est tout à fait irresponsa-
26 ble, et est susceptible de causer
27 un préjudice sérieux dans l'opinion
28 publique, aux clients que je représente.

29 Encore une fois, je sais fort bien
30 que les "reporters" eux-mêmes qui
prennent les notes, qui sont au



1
2 service du public devant la Commission,
3 ne sont pas ceux qui font les en-têtes
4 dans les journaux. Mais par ailleurs,
5 je pense que je devrais attirer l'at-
6 tention de votre Commission en parti-
7 culier sur l'en-tête dans le devoir,
8 qui à mon avis est tout à fait injus-
9 te et non conforme aux faits, et
10 j'espère que ce journal verra à faire
11 la mise au point appropriée.

12 LE PRESIDENT:

13 Dans les deux en-têtes que vous avez
14 là, évidemment, d'après ce que vous
15 dites, ceci dépasse la pensée ou le
16 texte même du reportage.

17 Alors, le reportage aurait été
18 exact dans les faits qui sont rap-
19 portés, et ce serait les inférences
20 qu'en a sorti celui qui a fait les
21 en-têtes.

22
23 Personnellement, je ne crois pas
24 que dans la preuve qui a été
25 apportée devant nous hier, qu'il ait
26 été établi, suffisamment prouvé pour
27 que nous puissions dire que le pilote
28 en question était un narcomane.

29
30 Le fait de faire usage de narcotiques
ne veut pas dire qu'on est narcomane;



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parce que qui de nous n'a pas été
à l'hôpital, n'a pas été sous les
soins d'un médecin, à quelque moment,
et qu'en fait, même malgré lui, on
lui en ait donné.

Ca ne veut pas dire que celui qui
prend un verre de liqueur alcoolique
est un alcoolique, pas plus que celui
qui a eu une piqûre, à un moment
donné, dans certaines circonstances,
à cause d'une maladie ou autrement,
est par le fait un narcomane. C'est
peut-être sauter un peu vite aux
conclusions, et porter un jugement que
même la Cour n'aurait pas porté.

L'autre en-tête, pris séparément,
est vrai: Il fait usage de narcotiques,
et il a eu deux accidents, mais le
fait de les juxtaposer l'un à l'autre
peut dépasser la preuve qui a été
faite.

Evidemment, il y a peut-être des
motifs pour mettre des titres sem-
blables, mais il faut faire attention
tout de même à la charité chrétienne
et la justice la plus élémentaire,
pour ne pas laisser planer sur la
réputation de quelqu'un de quelque



1
2 chose aussi grave, à moins qu'on en
3 soit absolument certain.

4 Le moins qu'on puisse dire, on devrait
5 prendre les principes les plus élé-
6 mentaires de la justice qui prévaut
7 dans notre pays, c'est que quelqu'un
8 est innocent jusqu'à preuve du contraire.
9 Alors, on doit lui donner le bénéfice
10 du doute.

11
12 Me MARC LALONDE, c.r.,
13 pour la Féd. des Pilotes du St-Laurent:
14 Merci, Votre Seigneurie.

15
16
17
18 Je, soussigné, sténographe officiel,
19 étant dûment assermenté, certifie
20 par les présentes, que le texte qui
21 précède est la transcription exacte
22 et fidèle de mes notes sténographiques.

23
24 G. OSCAR BOISJOLY
25 Sténographe Officiel.
26
27
28
29
30



1 English
2 and strong current in the entrance of the Saguenay River.
3 Would you mind telling the Commission how small coastal
4 vessels of the schooner type would be affected by what
5 is normally called the Saguenay River entrance Boar or
6 Boar Toreau du Saguenay?

7 A. To start with sir I should refer back
8 to what I said before. Some of those -- most of these
9 small coasters, wooden schooners are very low powered.
10 Of course, if they are trying to negotiate the Saguenay
11 River with adverse or ebb tide, if they are bound in,
12 this means that they are just about creeping over the
13 ground and sometimes have to have a ship heading which
14 is at the very sharp angles with their regular course
15 line over the ground due to having to counteract this
16 very strong current. To revert to this Boar, which of
17 course forms at the Boar Reef there, or just above it,
18 this is very strong counter current and eddies, tide
19 drift that is formed there, to a vessel of that size
20 can be very dangerous.

21 Of course, there again if, with a large
22 vessel you are just happening to be managing this
23 channel yourself at the time, and there might be
24 several small vessels trying to do it there at the
25 same time, this just adds to the danger of collision..

26 Q. Now Captain Dussault what about the
27 traffic at the entrance of the Saguenay River arriving
28 from the circulation of the river of the larger vessels
29 going up the Saguenay River? Is there a large volume
30 of traffic?



1 English

2 A. Yes. It has had a tendency in the
3 last few years to diminish a little. It is a still
4 very much used shipping lane. While the number of ships
5 might have diminished, large vessels have diminished,
6 the size of ship has increased and traffic might be
7 spasmodic, might have half a dozen in one day, one or
8 two in the next, but there again it's a very much used
9 traffic lane.

10 Q. In your testimony you have given us
11 the course that will be normally followed by upbound
12 traffic in the Red Island Passage. What would be the
13 normal course for the outbound traffic?

14 A. Well in clear weather I would say
15 that the majority of vessels would also use the channel
16 north of Red Island outbound keeping to the southern
17 part of that channel. That is, to the righthand side
18 of the channel as should be. There again the currents
19 are very swift. They are not parallel to the shoreline,
20 set at the sharp angle; the ebb tides especially have
21 to be very much guarded against throwing you on the
22 Red Island reef and very swiftly so in dirty weather
23 I would say that the large majority of vessels employ-
24 ing a pilot, if not all, will use a channel south of
25 Red Island.

26 This is one of the advantages of having
27 a pilot. We have this sort of gentleman's agreement:
28 downbound vessel goes south and the upbound vessel will
29 go north. This eliminates many risks of collision..

30 Q. Now I come to this directional light



1 English

2 that was installed in the Coudres Passage. Did I
3 understand you correctly when you said that this light
4 had been in operation just this summer?

5 A. You are correct sir.

6 Q. And that you have heard of no
7 complaints from masters of vessels on whose ship you have
8 been a pilot?

9 A. Nobody has ever even mentioned the
10 thing to me.

11 Q. Are you saying that light has not
12 been missed by anybody?

13 A. It would seem so sir.

14 THE CHAIRMAN: They don't know it is there.
15 It is not on the map.

16 Q. There is no notice to mariners or
17 to ships in regard to this light, is that a fact?

18 A. I seem to recollect something about --
19 I wouldn't say it was an official notice to mariners
20 but I believe some sort of notice to mariners was given
21 telling of the experimental light that was located
22 there last season. I can't tell you. I am not too
23 sure now. I seem to recollect some sort of notice
24 to mariners. Might have been over R.T. only and not
25 a printed one.

26 I do recollect something being given to
27 the mariners to the effect this light could be put there
28 temporarily on an experimental basis.

29 Q. Am I correct Captain Dussault in
30 saying that the trouble with the light of this type is



1 English
2 that one using it, using one of the sectors has no
3 means of knowing when his ship is steady on such a course
4 as to keep within that sector until he loses the light?
5 Am I correct in saying that?

6 A. Well yes. I take it that you would
7 like to mean as long as he is in one sector he might
8 think he is doing all right. He might be just sort of
9 getting himself in trouble and everybody else with him.

10 Q. Comparing this light now to a set
11 of range lights. If you are using the range lights,
12 and correct me if I am wrong, by the movement of these
13 lights you will find if you are going too much to the
14 left or to the right or steady on the course, parallel
15 to the transit of these lights?

16 A. That is correct.

17 Q. While this is impossible with a
18 directional light of the type installed at Cap à la Baie?

19 A. That is right sir. All that this
20 light indicates, or the various sectors could tell you
21 you are in one sector or the other. You might be
22 running into the next one or just on the brink of it, showing
23 a very poor situation, especially at night, to other
AA3 24 vessels and getting everybody in a very doubtful,
25 dangerous position.

26 THE CHAIRMAN: There is more leeway with
27 the light than with the ranges?

28 THE WITNESS: Much more so.

29 Q. That is exactly what I had in mind
30 my lord. You mentioned yesterday that the limit, the



1 English

2 depth of low water in the dredged channel is 30 feet
3 below Quebec. Would you care to explain to the Commission
4 what happens when they are called upon to take a ship
5 with a draught of 35 feet? What precautions you have
6 to take?

7 A. First, on boarding the ship at
8 Escoumains we inquire about the draught. You can see
9 if it's a large vessel. We ascertain the exact draught
10 in fresh water from the master. We have already looked
11 up, of course, our tide tables, made our calculations
12 according to the speed of the vessel as given by the
13 master. We can work out the fairly exact time we will
14 come to these shallow spots and if we find that the tide
15 is such that it is not possible to negotiate these
16 spots, negotiate these parts of the channels with all
17 safety for the vessel, well we sort of arrange with the
18 master either to go to anchorage at a certain point in
19 the river, to go to anchorage and wait for the auspicious
20 moment, but if it's only a matter of a couple of hours,
21 we might just reduce speed for part of the voyage or
22 the passage up there in order not to bother taking some
23 of the crew out and anchoring, and everything. We talk
24 about these difficulties with the master and in
25 co-operation arrange to get the ship through at the
26 right time.

27 Q. What would happen if such a ship,
28 you are engaged in the stretch of the river and have
29 only 30 feet at low tide and have a failure, a breakdown
30 of your vessel?



1 English

2 A. Well all you can do is hope for the
3 best and try to get it repaired and get out of it as
4 quickly as possible. In most instances if you have
5 a breakdown of some kind you have to anchor the vessel
6 and then just hope for the best.

7 If you are in a place where there is no
8 water in the dredged channel, you must anchor at low
9 water, just be aground. That is all there is to it.
10 Possibly block part of the channel for other traffic.

11 Q. Or start pumping the ship out?

12 A. If it is a tanker usually it won't
13 be a very good idea.

14 Q. Now you said yesterday that at
15 night in the background of lights of the City of Quebec
16 it was pretty hard to pick up the running lights of
17 an inbound ship when coming up with an upbound ship?

18 A. May I correct you? It's hard to
19 pick up the running lights of an outbound ship while
20 coming up with an inbound ship.

21 Q. Now is it not also a fact that for
22 the stranger coming up, within the approaches of the
23 Quebec Harbour, just about to negotiate the Pointe
24 Levis curve, that he might be misled by the lights
25 of an outbound ship as that ship is also negotiating
26 the curve because that ship will first show him a
27 green light and then will show him a red light and for
28 the stranger it might be quite misleading. Is that a
29 fact? Have you experienced that yourself?

30 A. I never had any trouble with this because



1 English

2 I know what to expect. We know the channel well and
3 of course, as I explained to your lordship yesterday
4 from West Point until you are, let us say, right off
5 the main wharf in Quebec it's just one prolonged curve.

6 THE CHAIRMAN: Such a phenomenon is going
7 to be met everywhere when ships are meeting in a curve.

8 THE WITNESS: Yes sir. I mean both ships
9 are changing, of course, on reciprocal bearings.

10 THE CHAIRMAN: It is not peculiar to that
11 curve.

12 Q. No my lord. That was only part of
13 the question.

14 A. Of course now what I think Mr.
15 Langlois refers to also with the multi-colour lights
16 in the background, this of course adds to the dangers
17 of mistaking one for the other or not being able to
18 pick it up as soon as might be required for safety.

19 Q. Yes my lord. A word of explanation
20 here that amongst the lights of the City of Quebec
21 also you would have red and green lights coming on and
22 off and you would have the same thing on the ship
23 changing course, and sometimes you may mistake the
24 running lights of the ship for the lights of the City
25 and it would be quite misleading.

26

27

28

29

30



B/PB/RPS 1

English

2 At the Pilotage Station here in Quebec
3 do you have occasion to take some precautions to effect
4 a change of pilots due to weather conditions, and if
5 so what are those precautions that should be taken?

6 A. I mentioned part of these yesterday,
7 especially if, take for instance a day like yesterday
8 where a very strong norwest wind is blowing, and you
9 have a ship in ballast, and even moresc, let us say
10 at the same time you have a flood tide. Well, the
11 pilot, you have to make sure before he is to stop the
12 ship or make her lose weigh, to affect a change of
13 pilot that he has the ship much to the southern part
14 of the channel because she is going to blow right across
15 the river and he doesn't want the pilot relieving
16 him in a dangerous position. It would be poor seaman-
17 ship as well as dangerous.

18 Q. Now, you mentioned yesterday sometime,
19 you have to use a larger boat to take pilots off?

20 A. It was so yesterday, sir.

21 Q. What type of boat do you use?

22 A. When the weather conditions get
23 so bad we can't use our own boats our only alternative is
24 to use the local harbour tugs.

25 Q. Would there be occasions when the
26 larger boats are not available and you have to do it
27 with the ordinary pilot boat, and on such cases you have
28 to provide a lee for the smaller boats to come along,
29 turn your ship at an angle?

30 A. We do. As a matter of fact with cases



1 English

2 less severe than those yesterday we do give a lee.
3 Regularly pilot launches are small wooden launches,
4 quite good for the majority of the time to do the
5 service it performs, but especially in a more easterly
6 wind -- sometimes we go across sea or especially with
7 ebb tide, something like that.

8 Q. Yesterday, Captain Dussault, you
9 mentioned that you were called, when a pilot is called
10 upon to take a ship at the Irving Refinery Oil, les
11 Patrols you have to choose the right stage of the tide?

12 A. That is exact.

13 Q. Have you ever had occasion of having
14 to take a ship to that place with adverse current
15 conditions or tidal conditions?

16 A. Not in my case, sir. Every time I
17 went there I was very well satisfied these were the
18 best ~~conditions~~ to go there at the time.

19 Q. Has it been brought to your knowledge
20 that occasions have arisen where pilots, although they
21 had planned to arrive there at an ideal tidal or
22 current condition on account of other ships being at
23 these facilities, the ship was delayed and had to dock
24 with adverse current conditions?

25 A. Not to my knowledge.

26 Q. Not to your knowledge?

27 A. In those cases I think we have to
28 cancel this one and wait for the next tide or the
29 next good conditions and I think any good pilot would,
30 unless there is some emergency problem arising.



1 English

2 Q. Now, coming to the anchorages in the
3 Harbour of Quebec, are there occasions where due to the
4 number of ships at anchor in the roadstead that there
5 is a situation of danger, of risk created by the ships
6 swinging with the tide as the tide changes?

7 A. You mean for ships in transit?

8 Q. In transit, very true. ~~Of course,~~
9 at the Harbour in Quebec, which is relatively small
10 is very crowded and especially now there are very large
11 vessels going into anchorage, this is one thing that
12 has to be guarded against, especially at night, to make
13 sure that sufficient berth is given to anchored vessels.
14 Especially in the fall of the year we usually have a
15 period running from two weeks to a month where large
16 lakers wait their turn to unload at the grain elevators,
17 and there is several of them anchored together, and
18 they are long ships and need more swinging room, and
19 especially if they are weather rode halfway between tide
20 and wind. They must be cross-wise to the river. They
21 might be a problem especially at night.

22 Q. Are there any particular periods of
23 the year when the anchorages in the roadstead would
24 be crowded more than usual?

25 A. As I said the fall of the year, where
26 there is several large lakers waiting to discharge in
27 Quebec, and sometimes even at the summertime, being
28 the end of the year is rush season, there might be
29 many foreign vessels waiting for berths in Quebec and
30 the situation also arises sometimes early in the spring.



1 English

2 The spring rush, many vessels have to wait for their
3 berths in Quebec, and of course, the local grain trade
4 is starting again with a rush.

5 Q. Would not that situation also obtain
6 when ships in the early spring are waiting up river
7 to go down to Montreal?

8 A. This would also be the case there.

9 Q. Is it not a fact that in this early
10 spring period due to ice conditions that are existing
11 that pilots would sometimes be called upon to stand
12 security watch on board a ship because anchorages are
13 not safe due to the movage of ice?

14 A. This has happened in several instances,
15 sir. I might add it does happen during the season some
16 petroleum companies, especially -- they made it one of
17 the rules that at the Quebec anchorage a pilot must
18 be aboard at all times regardless. I have done that duty
19 myself in the past.

20 Q. For the information of the Commission
21 what remuneration does a pilot get who stands security
22 watch in such instances?

23 A. \$3 an hour with a maximum of \$25 a
24 day, sir.

25 Q. In other words the same charge as
26 for detentions?

27 A. Exactly, sir.

28 Q. In your experience has it occurred
29 that ships have been dragged from anchors at the road-
30 stead in Quebec?



1 English

2 A. It has been my experience, but
3 especially I would say -- with a strong easterly wind
4 with a large ship or a ship with a prominent super-
5 structure -- this happened to me, yes.

6 Q. Is it a requirement under the
7 regulations, the Port regulations here in Quebec that
8 large ships equipped with stern anchors would have to
9 use their stern anchors in the roadstead here? Is that
10 to your knowledge?

11 A. Not to my knowledge. It is possible.

12 Q. Is it done?

13 A. No, sir.

14 Q. What would be the danger to ships
15 and to shore or underwater installations if a ship
16 would drag anchor here in Quebec in the roadstead?

17 A. Well, I would say the biggest danger
18 would be for the anchor to damage some of the underwater
19 or submarine cables running from Quebec to Levis.
20 Of course if the ship was to go aground, especially
21 if she was a tanker loaded with inflammable produce
22 there would be that much added danger. She would also
23 be a menace to navigation and traffic while she was
24 being refloated, et cetera, and of course while running
25 off, dragging anchor she might hit other vessels working,
26 and of course this would be even more dangerous to
27 other ships working or to shore installations.

28 THE CHAIRMAN: Has it happened in the
29 harbour there that anchors get tangled with cables?

30 THE WITNESS: It did, sir.



1 English

2 THE CHAIRMAN: Years ago?

3 THE WITNESS: Not so many years ago, sir.
4 Two years ago, sir, in April, 1962 if I remember right.
5 The ship's name was the CONSELO.

6 MR. LANGLOIS: The CONSELO.

7 THE WITNESS: Was it because the anchor
8 dragged or the anchor was at the wrong place?

9 THE WITNESS: Well, I wasn't there on the
10 ship so -- there was no pilot on the vessel.

11 MR. JACQUES: There is another case, the
12 case of a Greek ship which had anchored off Sillery
13 Point. It was during the night. She dragged anchor
14 from Sillery Point straight to ferry wharf and fouled
15 telephone cables.

16 THE CHAIRMAN: That is two miles or a
17 mile and a half from the Sillery wharf to the ferry wharf?

18 MR. JACQUES: It is longer than a mile and
19 a half. I think three miles.

20 THE WITNESS: It is more than three miles.

21 MR. LANGLOIS: Q. Yesterday, Captain
22 Dussault, you stated, if my memory serves me correctly
23 that the current at the Irving Oil facilites was four
24 knots. Were you speaking of the maximum currents?

25 A. I might have been conservative. In
26 the spring of the year with the freshet it might be
27 running quite a bit more on the spring tide. I think
28 by saying four knots I was very much on the other side.
29 It might exceed that as much as a knot and a half in
30 the spring with freshet.



1 English

2 Q. Would you tell the Commission on
3 which side of the river the current with the ebb tide
4 will set?

5 A. Generally speaking the ebb tide would
6 sort of throw you more to the southern side, and that
7 not too
8 part there while/great an angle with the channel, but
9 a tendency to set you to the southward, to the south
BB2 9 shore.

10 Q. Now, you were in this room, I take it
11 when Captain Allard, the former Superintendent of Pilots
12 and the present Assistant Harbourmaster was questioned
13 as to the berthing of ships at sections 25 and 26 and
14 the St. Charles Estuary. Do you agree with what he
15 said?

16 A. That is should be left the pilot's
17 knowledge and to the present conditions, conditions
18 prevailing at the time. I heartily agree, yes.
19 I . . .

20 Q. Finish?

21 A. I quite agree with Captain Allard
22 on this..

23 Q. Would you also agree with the
24 suggestion put to him in which he was in agreement also,
25 to the effect that there were no two similar cases, even
26 with the same ships, the conditions would never be the
27 same?

28 A. They would never be exactly the
29 same, no, yes. There would be some small discrepancies
30 in that event.



1 English

2 Q. Would you agree that even with the
3 same ship that her draught, her trim might be the
4 determining factors?

5 A. Yes, sir, it might. Certainly there
6 is a great difference between a ship in ballast and
7 a ship loaded. Some ship loaded in Quebec now, you
8 couldn't bring them in in low water. You could bring
9 them in light, but you couldn't take them out.

10 Q. Is it not a fact, also, Captain, that
11 a ship's trim aft or on even keel, or trim forward --
12 this would affect the manoeuvrability?

13 A. Yes, sir, each ship has her own
14 peculiarities in manoeuvring, and of course trim and
15 draught would affect her manoeuvring capabilities.

16 Q. I think it is owing to these numerous
17 and varied factors that it is rather hard to judge what
18 should have been done in any particular case.

19 A. Yes, sir.

20 Q. It is easier to handle a ship from
21 the shore than when you are on the bridge?

22 A. Yes sir, that is the general idea.

23 Q. Now, I am coming to the south channel.
24 There again I think we missed one ferry service. We
25 missed one on the north shore. Is there not a ferry
26 service between Crane Island and Montmorency?

27 A. There is daily during the navigation
28 season. It is operated by a fellow from Crane Island.
29 It runs from Crane Island wharf to Montmorency using
30 the river entrance at Montmorency there. I believe



1 English

2 ST. FRANCOIS is the name of the vessel doing this
3 ferry service.

4 Q. I will correct you, it is the
5 ST. JACQUES.

6 A. Yes.

7 Q. That is a regular service?

8 A. Yes, sir.

9 Q. Is it not a fact that there is also
10 another one, irregular, but quite a frequent service
11 between Berthier and Grosse Ile?

12 A. I know personally I used to see this
13 ferry boat, but I haven't lately seen this ferry boat.
14 It is possible it is still running a schedule service.
15 I haven't personally seen it this year using either
16 channel, while we used to see him quite often before, so
17 I couldn't say for now.

18 Q. I am not referred to a privately
19 owned ferry service. I am referring to the Government
20 service, Research Board using the facilities at
21 Grosse Ile?

22 A. I knew there used to be such a
23 ferry service.

24 Q. Now, you mentioned this morning that
25 the channel, south side channel wasn't maintained as
26 it should be maintained. Could you tell us, sir, when
27 were the lights on Bellechasse Island, Kamouraska Island
28 and Grand Ile changed from watched to unwatched, unattend-
29 ed lights?

30 A. All these lights you have mentioned



1 English

2 were switched over to automatic equipment, that is unwatch-
3 ed, some years ago, anyway two or three years ago
4 at least. Bellechasse was only recently, in the last
5 couple of months, I believe.

6 Q. The fact of these lights being changed
7 from attended to unattended or unwatched lights, is it
8 not an indication that the channel is being considered
9 now as a secondary channel?

10 A. I would think so, yes.

11 Q. What is your experience with the
12 operation, having in mind failures of these unattended
13 lights in the south channel?

14 A. To start with I would think that
15 pilots or for that matter, any navigator, using the
16 south channel would have a tendency to use it less at
17 night due to the knowledge of these aids to navigation
18 being unattended. If one was out it might be an
19 important one such as the leading light at Beaujeu or
20 something like that. If it goes out at ten o'clock
21 in the evening it would be off until most of the next
22 day or maybe later until somebody reports it. It would
23 mean it would be that much more dangerous, and we would
24 really rely on these lights and we use it less frequently
25 than we would normally.

26 Q. Is it to your experience that the
27 same would apply also the lit buoys on the west end of
28 Crane Island to Point au Pere?

29 A. Yes, sir, the more you change these aids the less
30 reliable they become, the less use we will make of that



1 English

2 channel.

3 Q. Now, you have mentioned all the strong
4 currents around St. Roch Traverse. I have a general
5 question to ask with applies not only to the south
6 channel. It would apply equally, to my mind, to the
7 north channel. Are there any stretches in the river in
8 your District where one could navigate in safety only
9 by dead reckoning compass, and if not why?

10 A. Well, that would be a very dangerous
11 adventure if you mean by dead reckoning it would only
12 be course and time and distance run.

13 Q. Distance run?

14 A. Due to the very strong currents meeting
15 at sharp angles with the various channels I think it
16 would be foolish. I would, at least, like to have an
17 echo sounder, at least.

18 Q. That brings me to the second question:
19 What use can you put an echo sounder to in your District?

20 A. In some instances it might be of
21 help. In other cases the help you would get from an
22 echo sounder would be very small. In the north channel
23 along the Capes it changes so quickly you would never
24 be sure before you would get a change. On the other
25 hand in other parts if you had a ship without radar
26 and you want to navigate between Red and White Island,
27 with great local knowledge of the tides, currents
28 and locality you could certainly do a good job if you
29 had an echo sounder.

30 Q. What degree of accuracy would you



1 English

2 place on your echo sounder when your ship is going against
3 a very strong current with quite a good deal of water
4 turbulence on the transducer on your ship?

5 A. It is well-known water turbulence
6 will cause air pockets, and affect the sounding machine
7 to various extents, sometimes to the extent it is
8 nearly unreadable or that the echos would be very false,
9 really, which would be much more dangerous.

10 Q. Would you not get that in the Red
11 Island Passage?

12 A. You would just about in every place
13 where there is strong tide rips or strong currents.

14 Q. Are there many such conditions or
15 situations in your District?

16 A. Several.

17 Q. Now, going further down below Green
18 Island, what would be the normal course of a downbound
19 ship using the south channel below Green Island, below
20 assuming she
20 A'ciote Rock / is not bound for such Ports as Rimouski
21 or Father Point. Would it be inside Bic Island or
22 outside of Bic Island?

23 A. Most ships will make it on the
24 north side, on the sea side, what we mean by the outside
25 of Bic Island, you would meet 040 downbound and 220
26 upbound.

27 Q. What would be the course usually
28 followed by smaller coastal vessels coming from,
29 say, Rimouski, Father Point or other Ports on the south
30 shore of the St. Lawrence River and upbound coming inside



1 English

2 Bic Island? What would be the course normally followed
3 by them, from Bic Island, from A'ciote Rock and so on ?

4 A. Going from the south?

5 Q. Going from Ports on the south shore
6 coming up river to Quebec or Montreal?

7 A. Most of them will use the north part
8 to Red Island. They will come, might be making any
9 course like up to 230, I would say usually come up there,
10 which would mean they would be coming up on a fairly
11 well-pronounced angle to the other traffic.

12 Q. What has been your experience of the
13 incidents of fog in the stretch of your District between
14 Bic Island and, say, Brandy Pot, Riviere du Loup and
15 Green Island?

16 A. Especially during the middle of the
17 season, I should say it happened several times every
BB3 18 month, or something like that. We have dense fog or
19 very low visibility for several days each month. We
20 have fog, of course, right throughout the season, but
21 much moreso during July and August.

22 Q. I don't want to hurt the feelings
23 of my friend, Gaston Rousseau, but is it not a fact that
24 the foot of Green Island is really known as the foggy
25 spot on the St. Lawrence River?

26 A. It surely is one of the foggiest spots
27 on the St. Lawrence River.

28 Q. Now, you mentioned these weigh ports
29 in your District where you are occasionally called upon
30 to take ships. You mentioned several Ports, but I



1 English

2 noticed that you didn't mention Tadoussac.

3 A. No, sir.

4 Q. Don't you ever take ships into
5 Tadoussac?

6 A. Yes. I believe at the time I was
7 requested to commit the Saguenay River, and I took this
8 to mean from the Prince Shoal light up. I believe
9 we covered Tadoussac in the Chicoutimi testimony. This
10 is one of the intermediary Ports and pilots have taken
11 ships into Tadoussac.

12 Q. Now, you mentioned Pointe au Pic for
13 the summer. Is it not also a fact in the late fall
14 and winter often you have a pilot called upon to take
15 a ship into Pointe au Pic for two reasons, one for the
16 ice, and the other would be to wait for appropriate
17 tidal conditions before negotiating Coudres Island
18 against the ice?

19 A. That is correct, sir.

20 Q. This is correct. I don't know if
21 you have had occasion to bring ships in there, but I
22 have noticed a pipeline on Grosse Island Wharf. Do
23 you have to take ships in there?

24 A. I have never taken a ship in there,
25 not commercial vessels anyway.

26 MR. LANGLOIS: My lord, I am going to change
27 the subject to ice navigation. Do you wish to break
28 as we are adjourning at 4:30?

29 THE CHAIRMAN: That is all right, go ahead.

30 MR. LANGLOIS: Q. Now, I come to navigation



1 English

2 in ice. Unless I am mistaken I took it this morning your
3 testimony was based exclusively on navigation within the
4 period of the winter which is not considered as being
5 part of the summer season?

6 A. Yes.

7 Q. In this respect I would like you to
8 tell the Commission the average opening date of navigation,
9 the so-called summer navigation season on the St.
10 Lawrence to Quebec.

11 A. April 8th.

12 Q. April 8th?

13 A. Yes.

14 Q. Have you had opening earlier than
15 that, ocean ships coming up to Quebec?

16 A. I'm sorry. I misunderstood you.
17 I am talking of the official date which, of course,
18 as far as we are concerned for the regular season is
19 the 8th, but if you mean the first ship of the season
20 coming up, I would say as early as the last week of
21 March, or the 20th of March.

22 Q. Are you referring to ships which
23 are not especially strengthened for ice navigation?

24 A. That is right, usually our first
25 regular vessels come up the St. Lawrence in the last
26 days of March.

27 Q. What would be the ice conditions
28 normally on the river at that time?

29 A. At times there is still a very large
30 amount of ice left in the river.



English

Q. Is it not a fact since you were called upon to handle ships not strengthened for ice that early in the season that extra precautions must be taken to avoid danger?

A. That is right. As I mentioned we might even have to anchor in spots where there is no danger to ships being damaged to wait ~~at the spots~~ where there is large quantities of ice is reduced. We would have to proceed sometimes at much slower speeds than usual so as not to have danger to the vessel, et cetera.



MR/RPS 1 English

2 Q. What would be the latest date you
3 would be called upon to take such ships, not strengthened
4 for ice, out of the St. Lawrence in the fall?

5 A. I would say the last week of December
6 or the first week of January would be the approximate
7 date.

8 Q. Am I right there is some risk,
9 or hazard obtained with ships which are not strengthened
10 for ice navigation?

11 A. You are quite right.

12 Q. Is it not also a fact that these
13 ships not being fitted with powerful enough engines
14 will create another hazard? Another risk to their
15 handling because they would not be able to buck through
16 the ice as necessary?

17 A. They could, of course, become
18 hazards themselves. I would like to point out here that
19 while some of them are low powered, I would be more
20 inclined to think their not being ice-reinforced in
21 their hull would create a hazard more than not being
22 powerful enough.

23 Not being powerful might be the case in
24 a few instances. Not being reinforced would be the
25 reason in the majority of cases.

26 Q. In the handling of such vessels, and
27 for that matter even ships especially built for
28 navigation in ice, is it not a fact that there is a
29 possibility of the ice taking charge of the ship in
30 narrow channels if you are bucking the wrong current?



1 English

2 A. Yes. There is a possibility of this.

3 It happens I believe nearly every season now that the
4 ship will get stuck in the ice or in the large ice fields
5 and while we try to keep her in as safe a position, as
6 much as possible, you might be just drifting with that
7 ice pack or with the ice field up and down for hours.

8 It has been my experience a few times in
9 the past especially between Cap Brule and Cap Martin,
10 this would be the part where this would happen more
11 often.

12 Q. Am I right Captain Dussault in saying
13 that even with the ships strong enough to buck through
14 the ice that she might be so taken in charge by the ice
15 she could not be steered out of the dredged channel?

16 A. It is quite possible. I mean if you
17 are inside that ice pack, in that field of ice, you
18 can't do anything. You just follow that ice field, and
19 go where it takes you.

20 THE CHAIRMAN: It happens even with ice-
21 breakers at times.

22 Q. So for the pilot, or the master in
23 charge of the ship in these conditions, a good deal
24 of precautions will have to be taken, taking into
25 account the currents, the tides, the stage of the tide,
26 the ice conditions?

27 A. That is right.

28 Q. For the record and for the information
29 of the Commission, what do you think of anchoring in
30 ice?



1 English

2 A. If the ice is the least bit heavy,
3 and what I mean by heavy, quite a bit of ice around,
4 the proportion of water body covered by ice is large,
5 to anchor in ice is a very dubious thing.

6 You would have to keep track of your
7 anchor bearings, keep track of the ship's position and
8 even at times if you wanted to stay there, use your
9 engine to help keep the ship in position and even so
10 you may not be able to manage it.

11 I think that has to be done in some
12 emergency cases and this is, well, good practice in
13 seamanship from then on.

14 Q. Am I to understand you won't put too
15 much reliance on using your anchors if you were caught
16 in ice?

17 A. If I had to anchor in ice, I wouldn't
18 go to bed.

19 MR. JACQUES: He might not even be able
20 to drop it into the water.

21 Q. I am wondering would you, as a rule,
22 experience difficulty in picking up landmarks, ranges
23 with the snowy background that you would have on the
24 hills?

25 A. At times it is more difficult, but
26 here again I must pay tribute to the District Agency
27 which in the last two years have started to paint their
28 beacons with a flaming phosphorescent orange which
29 helped tremendously and on that account are better.
30 When they were using a lot of white paint, it made it



1 English

2 very difficult in the winter. Now it is this flaming
3 orange phosphorescent colour which has improved this
4 beacon and improved the situation.

5 Q. On being examined by my friend, Mr.
6 Lalonde, you mentioned fog and snow in the winter as
7 being detrimental to good vision. Is it not a fact
8 it is a very common, almost a daily occurrence that
9 a very bright sunny winter day on the St. Lawrence River
10 you have, in the early morning and most of the forenoon
11 a vapour coming from the water, from the ice, preventing
12 you from picking up landmarks, ranges or spar buoys?

13 A. Yes. What you speak of is technically
14 known as Arctic smoke and is just due to condensation
15 there. Just like fog on the water though it's low-
16 lying fog and exactly where you don't want it to be.

17 Q. You would have that even in the
18 bright sunny days?

19 A. Yes, you would have it nearly on
20 every occasion of dry, crisp cold.

21 Q. When one is called upon to take a
22 ship from Quebec down river in the winter, where does
23 he normally disembark?

24 A. Well the last year we have been
25 disembarking at our usual station at Escoumains and
26 last winter season this worked out quite well. At other
27 times disembarkation point has been at this point,
28 on many occasions, where the ship agents or many ships
29 bound to Baie Comeau have asked us to proceed with
30 the ship to Baie Comeau, not to delay, and we would



1 English

2 get off at Baie Comeau. Other times, other Ports as
3 occasion demand and ice conditions demand.

4 Q. Does that mean that you may be called
5 upon to pilot a ship out of your own District on these
6 occasions, especially when going to Baie Comeau?

7 A. I won't say we are called upon to
8 pilot the ship out of the District. We must stay with
9 the vessel outside of the District.

10 Q. What remuneration do you get for
11 this?

12 A. The same as before. The usual \$3 an
13 hour up to a maximum of \$25 a day.

14 Q. I am afraid, my lord, that Captain
15 Dussault when he is talking about the \$25 is referring
16 to what the Shipping Federation was supposed to pay and
17 not what is in The Shipping Act.

18 A. That is right.

19 Q. The amount is \$15 a day, not \$25.
20 I meant no offence to Captain Matheson. I understand
21 there is only one company that refuses to pay the
22 \$25.

23 MR. JACQUES: I think we should find out
24 what the witness actually got. Whether he got \$15 or
25 \$25.

26 THE WITNESS: I got \$25.

27
28 ---SHORT RECESS.
29
30



1 English

2 ---FOLLOWING THE SHORT RECESS:

3
4 Q. Captain Dussault this morning you
5 mentioned your experience in establishing contact with
6 V.C.C. Quebec. I understood you to say that you were
7 not experiencing any difficulty. Was that correct?

8 A. By W.T. I never heard any operators
9 by radio-telegraphy telling me of any difficulties.
10 As I mentioned there, with radio-telephony this is
11 quite a different story. We did experience quite a bit
12 of difficulty, in special sections of the river, as
13 mentioned.

14 Q. That is why I am asking the question.
15 You never received any complaints. That was the end of
16 it?

17 A. That is right.

18 Q. But you have yourself no personal
19 experience?

20 A. No. I am not a radio operator. I
21 have no knowledge of the practice.

22 Q. On ships fitted with radio-telephone,
23 such as in the wheelhouse, have you experienced, espec-
24 ially during the evening hours, interference from U.S.
25 Coast Guard tugs in the Harbour of New York, or even
26 ships on the lakes?

27 A. Yes, especially at night we seem to
28 be hearing from several stations, some of them very
29 far apart. As you say, even the American east coast
30 Ports on the Atlantic. Inland Ports on the Great Lakes



1 English

2 and even, on several occasions, you can hear the various
3 nationalities of deep-sea fishermen on the Grand Banks
4 and, of course, this would be that much more interference.

5 Q. Is that interference serious enough
6 to prevent you from establishing R.T. contact with
7 another ship or even with the shore station?

8 A. Well I suppose that they are respon-
9 sible in a certain period for some of the delays that
10 we experience in establishing contact between ships
11 or your coast stations. I wouldn't say if they are
12 the whole root of the trouble, but I would say that they
13 are part of the trouble.

14 THE CHAIRMAN: Of course, that would not
15 be so if you had vhf?

16 THE WITNESS: The vhf, from my small
17 knowledge of radio, is only good for a fairly short
18 range and if you are outside the vhf range you have to
19 use, what we call the A.M. radio and this is where this
20 trouble, this interference happens.

21 Of course, if you are in vhf range, there
22 is no doubt that since the establishment of vhf,
23 communications have improved.

CC2

24 Q. When you board a ship here, at Les
25 Escoumains or at Quebec, what does, normally, the Captain
26 tell you when you come on board, besides coming on
27 board his ship?

28 A. Well they usually inform me of any
29 particularities of his vessel. Of course, I suppose
30 with other pilots they do exactly as I do. I usually



1 English

2 ask him various questions and ask him for the information.
3 Some of them might be even quicker on the draw and
4 supply all this even before I have to ask.

5 In every way I have always met with full
6 co-operation. They either answer very readily to all
7 my demands for information or they supply it even before
8 I can even ask for it.

9 Q. What I have in mind is I want you
10 to tell the Commission how does he turn the ship over
11 to you? What does he say to you in turning the ship
12 over to you?

13 A. At the time "She is all yours pilot".
14 That just about sums it up.

15 Q. How do you interpret this "She is
16 all yours pilot"?

17 A. I take it that he is turning over
18 the conning or the piloting of the ship, navigation
19 of the ship up to Quebec or whichever intermediate
20 Port we are calling to over to me. I should give my
21 course, and various manoeuvring orders, if necessary,
22 direct to the man at the wheel or to the watchkeeping
23 officer which represents him there at all times.

24 Q. So in practice you do take over?

25 A. Yes, sir, we do take over.

26 Q. How do you pass your orders to the
27 wheelman, for example?

28 A. In the usual way. In a direct way,
29 just say, give him the course in a clear and explicit
30 tone and usually a good helmsman would repeat my orders



1 English

2 exactly and once he has accomplished, or acted upon them
3 will tell me that he has done so.

4 Q. So if I understand, instead of
5 passing your orders to the officer of the watch, you pass
6 your orders direct to the wheelsman?

7 A. In the majority of cases, yes.
8 In several occasions where I might be doubtful if the
9 man at the wheel understands English or French -- I
10 use both languages -- I might tell the officer of the
11 watch to be very careful and tell him so he can translate
12 in Greek or Norwegian, whatever the language the crew
13 is speaking and to make sure, but in any case, in all
14 cases I usually sort of have one eye on the man and on
15 the compass myself to just see that -- I just don't rely
16 on their answer, telling me that it has been done. I
17 just check if it has been done personally.

18 Q. On ships where you pass your orders
19 direct to the wheelsman, what does the officer of the
20 watch do then?

21 A. Well he just sort of keeps check, an
22 eye on me, I suppose.

23 Q. Does he check your course?

24 A. I wouldn't say in the majority of
25 cases, but in some cases some ship officers do follow
26 fairly accurately, if not minutiously. On some ships
27 this is the case. I would say not the majority of
28 cases.

29 Q. Do they check the fix?

30 A. Occasionally I would say, not in the



1 English

2 majority of cases.

3 Q. Not as a rule?

4 A. Not as a rule, no.

5 Q. And coming alongside, when you do
6 come alongside who would dock the ship?

7 A. In my personal experience, in the
8 great majority of cases the pilot does the whole manoeuvre
9 of the conning of the ships. In a very few instances
10 with local vessels, mostly lake vessels on some occasions
11 the masters will say I will do the docking of my
12 vessel. This is not the general rule. I would say that
13 in the great majority of cases concerning salt water
14 or deep sea vessels the pilot does it and concerning
15 local vessels, it all depends. The pilot might do it
16 or the master might do it.

17 Q. You mentioned some language difficult-
18 ies. How serious is that language barrier as far as
19 the pilots are concerned?

20 A. I would say it is very small. All
21 the pilots are fluent in French and English and it would
22 be a very rare occasion where we could not communicate
23 fluently enough with the master or senior officer of
24 the ship.

25 This, of course, might be a barrier between
26 the wheelsman and the pilot, but it is not a barrier
27 on the vessel. If I was not even satisfied the way the
28 officer of the watch -- if he could understand English,
29 I would request the Captain or Skipper to stay there
30 and act as interpreter.



1 English

2 Q. Have you had occasion to pilot a
3 ship while that barrier existed as between the crew
4 itself and the officers of the crew where different
5 dialects were being spoken?

6 A. This has happened in several
7 instances where the officers might have been Greek and
8 the crew Spanish and where they could hardly even
9 converse amongst themselves.

10 Q. Have you ever piloted the TRITONICA?

11 A. I did in previous years. Not this
12 year sir.

13 Q. Is it to your knowledge that different
14 Chinese dialects were spoken on that ship?

15 A. It is hearsay.

16 Q. To your knowledge?

17 MR. LALONDE: Do you know Chinese dialects?

18 Q. Do you have to resort to the use of
19 blocks, and blackboard to indicate your course to the
20 wheelsman who does not understand either French or
21 English?

22 A. We do this on several ships, on
23 several occasions. Most of these, in any case, are
24 fitted with small blackboards in the wheelhouse well
25 in view of the wheelsman and the man at the wheel, and
26 we could indicate there in ~~numerals~~ the course. This,
27 of course, will be an added precaution on many vessels
28 I would mention, especially German and Scandinavian
29 vessels who have that special course indicator. It is
30 an automatic one on which you can set the course so that



1 English

2 the wheelsman could have it in front of him at all times.

3 THE CHAIRMAN: So in cases like that you
4 give a set course on these little bits of board; not
5 port and starboard?

6 THE WITNESS: That is right. You can still
7 use port and starboard. It's fairly well understood even
8 by the Chinese I would say.

9 Q. Now for the benefit and the information
10 of the Commission, would you tell us as to whether or
11 not, in your Pilotage District, one can make use of these
12 modern aids to navigation such as D.F., Decca or Loran?

13 A. As far as Pilotage is concerned,
14 certainly these aids to navigation -- I mean, I have
15 mentioned before the echo sounding machine. It is a
16 very appreciable aid. Radar is another one. Decca
17 is only coming into its own in the St. Lawrence after
18 many difficulties. I don't believe it is working too
19 well up to Quebec. It's still in the making, but I
20 am sure that it could be used with some we have. I
21 believe electronic navigation will not be of much use
22 here, not being so accurate at long distance. I don't
23 believe it exists in the St. Lawrence at the present
24 time, to my knowledge. We are not making any use of
25 it, anyway.

26 Q. Am I to understand from what you
27 have said about D.F., Decca you are not presently using
28 them in your District?

29 A. D.F. can be used. We have a D.F.
30 station located at Red Island. There is another one at



1 Bic, and of course, these are used if necessary.

2 Q. In what part of your District would
3 the use of D.F. be of some help?

4 A. These two stations are in the very
5 eastern part of the District and can only be used
6 thereabouts.

7 THE CHAIRMAN: Of course, when you are in
8 close quarters.

9 THE WITNESS: Yes, and no land lying between
10 you and the station itself. This could cause deflection
11 of the bearing.

12 THE CHAIRMAN: You were talking of the
13 Decca the way it is now?

14 THE WITNESS: That is right sir.

15 THE CHAIRMAN: There might be improvement?

16 THE WITNESS: That is right.

17 Q. I don't want to anticipate your
18 knowledge of Decca. Do you think Decca could be used
19 in the very winding and narrow channel?

20 A. Well it all depends how good the
21 system is or how exact, but Decca by a skilled operator
22 could certainly be used in fairly narrow channels --
23 channels of down to half a mile or so. At a practice
24 run some years ago we established this. We worked even
25 on better than that, but as I say, not as it stands
26 at the present time in our District.

27 We would have to wait for improvement, and
28 of course, all this is also a matter of the ability of
29 the man that is handling the instrument. If this man
30 has much skill at it, he can do away better than the man



1 English

2 who is just sorting of trying his hand at this.

3 Q. Is it to your knowledge that at
4 least one Decca station has been closed on the St.
5 Lawrence?

6 A. Since they have been working on
7 Decca in the St. Lawrence, in the Gulf of St. Lawrence
8 and the River, they have been closed and re-opened at
9 the various intervals. It is hard for me to keep track.
10 As we are not, at the present time, making active use
11 of Decca in our District, I couldn't answer this..

12 Q. Now my lord this is the end of
13 my examination and at this stage I would like to submit
14 that it might be of interest to the Commission to obtain
15 statistics on the earliest opening of the navigation
16 season of the St. Lawrence to Quebec and the latest
17 closing date say for the last five years.

18 This could be obtained from either the
19 Port Authorities here. I am not referring, by the
20 way my lord, to the opening of navigation of such vessels
21 as the Laurentian Lines which are reinforced ships.

22 COMMISSIONER SMITH: I would like to ask
23 the witness a question in order to clarify one of
24 his answers in my mind. In answer to Mr. Langlois you
25 made this statement: He spoke about or asked you what
26 happened when you went up on the bridge. You said that
27 some pleasantries were exchanged between yourself and
28 the master and the master says the ship is all yours,
29 and then you said then I take over. Now take over
30 the conduct of the ship, I take it, and certainly not



1 English

2 in command.

3 I understand that lawyers do not all agree
4 on the interpretation of the word "conduct"; exactly
5 what it means but I think they do all agree on the point
6 that the master is always in command of his ship so when
7 you say you take over, you take over as adviser on the
8 conduct of the ship. Am I stating it properly or not?

9 THE WITNESS: Well, when I say -- when the
10 Master has given us the time honoured phrase, I only
11 mean, of course, the part of the vessel that has to do
12 with navigation, with pilotage. That is, to bring the
13 ship, to navigate the ship safely, and according to my
14 knowledge, it has nothing to do with the general run
15 of the ship in any other fashion. When you mean as
16 adviser -- giving my orders direct, I would say well we
17 are only, I admit, at all times only advisers. This is
18 all we are recognized, as such, I mean but in the large
19 majority of vessels the masters will not stay on the
20 bridge for the whole trip, only ~~stay~~ for a few minutes
21 up to a few hours if the weather is clear and down to
22 his cabin to attend to his own business. He will leave
23 the bridge for hours at a time. Well giving my orders
24 direct, I would say that I am advising, of course. The
25 officer of the watch, who is there, representing the
26 master could counteract one of my advisory orders, I
27 suppose, but I suppose it is a little more than adviser.
28 I just tell them, and they do it.

29 MR. LANGLOIS: Mr. Smith, if I may inter-
30 ject at this point. I don't know if I was understood



1 English

2 correctly, but when I referred to the "taking over" I
3 was referring exclusively to the conning of the ship.

4 COMMISSIONER SMITH: Well as a matter of
5 fact, that is what I thought he answered but how far
6 does taking over go with regard to the conning of the
7 ship? You are still there -- the master could always
8 step in and say I don't agree with your advice.

9 THE WITNESS: Of course sir.

10 COMMISSIONER SMITH: And I am going to
11 command this ship and do what I want to do, notwithstand-
12 ing what your advice is.

13 THE WITNESS: You are quite right sir.
14 He has always this right, to counteract an order.

15 MR. LANGLOIS: May I on this point Mr.
16 Smith, and your lordship, say my interpretation of this
17 situation is that the master instead of delegating
18 his authority for the safe conduct of the ship to the
19 officer of the watch, does so to the pilot without going
20 through the officer of the watch and he, in that sense --
21 that the actual conning of the ship is taken over by
22 the pilot, as a rule.

23 MR. JACQUES: I cannot agree too with what
24 my learned friend has said. I would like to add further
25 to what the witness has said that truly a pilot takes
26 over the conning of the ship, but I think his duties
27 go a little further than just the conning of the ship.
28 Do you not also order at what time the anchors should
29 be ready? At what time the lines should be brought
30 on-deck if you tie a ship up in Quebec?



1 English

2 THE WITNESS: Well I don't order -- direct
3 the man because this is just part of the seamanship.

4 MR. JACQUES: Let us say then you direct
5 when anchors should be ready and which anchors should be
6 ready.

7 THE WITNESS: No. If we are going to
8 anchorage, I would certainly take the precaution of
9 asking the officer of the watch, or the master if he
10 is there: Are your anchors ready? We will be
11 anchoring about such and such a time. I won't tell
12 him get your anchors ready, in such a command type of
13 way. I would just sort of make sure well in advance,
14 or give him good notice that the anchor will be ready
15 and I will leave it to him or to his officers to tell
16 the crew when they want to break it out, or get it
17 ready. The same for the lines. I tell him we will
18 approach the berth, be coming into berth at such and such
19 a time. It is up to him.

20
21
22 -

23
24
25
26
27
28 -



PB/RPS 1

English

2 It is up to me to know that it takes three
3 hour
4 or two or one ~~1/2~~ to get his lines on deck and ready:

5 MR. JACQUES: These are things which, I
6 believe, come within your duties, to see that all this
7 equipment is ready to tie the ship.

8 THE WITNESS: I don't believe they come
9 into my duties. It is being done in good seamanship
10 because a pilot is a seaman, and it is done, like I
11 mentioned, it is good seamanship to work in co-operation
12 with the ship masters and officers. I am pretty sure
13 it is not part of my duty as an adviser to tell him
14 about seamanship. I am an adviser on pilotage, on
15 conning the vessel not advising on seamanship.

16 MR. JACQUES: Thank you.

17 THE WITNESS: Well, it is being done.

18 MR. LANGLOIS: Q. Is it not a fact you
19 are the one who would tell the officer of the watch I
20 want the port anchor dropped, I want so many shackles
21 paid?

22 A. Yes, it is ~~part~~ of manoeuvring a
23 ship, and this would come with my duties, but not
24 preparation, preparing to get unloaded and telling the
25 crew to do this. I wouldn't believe this is part of
26 my duty.

27 Q. Wouldn't you be the one to say I
28 am going to make a portside docking?

29 A. That is part of conning the ship,
30 because this would be done according to tides and wind
and other conditions.



English

THE CHAIRMAN: This is an example of what may happen in the relationship between a master and a pilot. We had an example. There was a disagreement between a pilot and a captain and the pilot said: "Captain take over". He went out of the wheelhouse and the ship went into the pier. That was all.

MR. JACQUES: 40 feet.

THE CHAIRMAN: Yes, 40 feet.

MR. LALONDE: I would like to add to Exhibit 667 a document, a letter from Captain Wilfred Menard to Captain Land, River St. Lawrence Ship Channel, dated September 5th, 1963, Red Patch Channel, Empress Shoal. The letter is requesting soundings once again and refers to the previous letter of September 23rd, 1960.

CROSS-EXAMINATION BY MR. MASON:

Q. Captain Dussault, I think Mr. Langlois has covered the more specific points I had in mind, but I have a few general questions if you will allow me. Are you familiar with what I referred to as separate courses in the Great Lakes?

A. I am.

Q. Could you describe to the Commission briefly what the separate courses are?

A. Separate courses, as I understand in Great Lakes trading are courses that have been laid down in the open waters of the Great Lakes by mutual agreement among the ships' masters and shipowners and



1 English

2 all the people, more or less, engaged in navigation up
3 there, and to which I would say a large majority of
4 pilots and navigators on the Great Lakes -- which they
5 follow quite closely. This is an added advantage. They
6 usually have an up and downbound track. They pass
7 parallel at a certain distance from each other. I think
8 they are a good safety device on the Great Lakes.

9 Q. Are these separate courses printed on all
10 the charts?

11 A. They are, sir.

12 Q. Do you feel in your District, or in any part
13 of your District the establishment of such separate courses
14 would be a practicality, and if so, would they be beneficial?

15 A. They might be practicable, I would say,
16 in the lower half of the District from Cape Goose down.
17 It can be so. I would like to add that pilots are more
18 or less doing this now -- this is what we are doing more
19 or less in practice. I would say, for example, many
20 pilots downbound will go from Cape Goose passing south
21 of Morin Shoal, while upbound north of Morin Shoal. In
22 all practice these are separate courses and are adhered
23 to by a large majority of pilots. In dirty weather you
24 have the gentlemen's agreement that upbound go north of
25 Red Island and downbound south. To be more specific,
26 to apply it to everybody, it could be applied, I would say,
27 and with benefit to all, I would say from Cape Goose down
28 to Escoumains. I think we might find trouble in doing
29 the same thing in crowded.



1 English

2 waters such as Saguenay where the width might not permit
3 such a good location and where there are springs current and
4 the narrowness of the channel not at Goose Cape. I
5 don't think on the south channel above Buoy 56, I don't
6 think that would apply so well there.

7 THE CHAIRMAN: If such a course were
8 practical would printing it on the charts be an improve-
9 ment?

10 THE WITNESS: I would think so, yes, sir.

11 THE CHAIRMAN: You would have to inform
12 the other users?

13 THE WITNESS: Yes.

14 THE CHAIRMAN: Being on the charts would
15 be an improvement?

16 THE WITNESS: In that District, yes, for
17 everybody, especially if everybody was well-aware and
18 there are certain agreements among navigators and pilots
19 to adhere to them. That would certainly be an asset.

20 MR. MASON: You mentioned that most
21 inland vessels were equipped with radio-telephone and
22 an increased number of ocean going vessels were being
23 so equipped. Whereabouts in the ship is the radio-
24 telephone installation on the inland vessels to be
25 found?

26 A. In all cases in the wheelhouse of
27 the vessel and ready at hand for the pilot or whoever
28 is doing the conning of the vessel.

29 Q. Is this the case in the ocean
30 vessels?



1 English

2 A. Not always. In some of them yes.

3 On the other hand on several the radio-telephone is in
4 the radio room which might be close, but is not quite
5 at hand and where it is visible. Of course you have to
6 go to a different room. You can't keep an eye on the
7 ship, where she is going or heading. On the other hand
8 on some vessels they have extensions coming into the
9 wheelhouse. In many cases it is not to be found in the
10 wheelhouse proper.

11 Q. I gather from what you say there is
12 a definite advantage of having all ships in your area
13 equipped with radio-telephone facilities on the bridge?

14 A. I definitely consider there would be
15 a great advantage.

16 Q. What proportion of these inland
17 vessels are equipped with vhf?

18 A. Did I hear you say inland?

19 Q. Inland.

20 A. Great Lake trade ships?

21 Q. Great Lake trade ships.

22 A. From my knowledge they are all equipped
23 with vhf.

24 THE CHAIRMAN: They need them anyway for
25 the Seaway?

26 THE WITNESS: Yes.

27 MR. MASON: Q. These new installations
28 include vhf?

29 A. In many cases. I wouldn't say in all
30 cases, but in many cases they do.



1 English

2 Q. When you have a vessel, to take her
3 from Escoumains upbound, are you able to contact
4 Escoumains on vhf radio-telephone?

5 A. Escoumains -- the two pilots boats,
6 CANADA PILOT NO. 9 and CANADA PILOT NO. 10 are equipped
7 with vhf receiving and transmitting apparatus. It
8 wasn't so in the temporary station. There was talk
9 of installing it, but I don't believe it has been done
10 at the time. In any case you can communicate with the
11 two pilot boats which are so equipped.

12 Q. What range can you communicate
13 with these pilot vessels?

14 A. They seem to fluctuate. In my
15 own experience on the radio-telephone, sometimes well
16 above White Island which is quite a bit more than 20,
17 25 miles it has been found to work well.

18 Q. What is the next point up river?

19 A. Quebec would be the next close
20 station.

21 Q. There is nothing in between?

22 A. Nothing in between, sir, but I
23 have found at times, at night, where the range of vhf
24 was greater, was enlarged, you could speak to Quebec
25 on vhf from well below Cape Goose which is sixty miles
26 away. It was quite clear. Not at all times, but at
27 certain times.

28 Q. Considering on the experience on the
29 AM band which you mentioned, would it be an improvement
30 to have a remote station or some other vhf communication



English

facility between Les Escoumains and Quebec?

A. It would be an improvement, sir.

THE CHAIRMAN: One or more even.

MR. MASON: Q. Well, I think so you are in range with one or the other. What has been your maintenance experience with the /shall we say, of the vhf equipment in Quebec? Is it always available or have you encountered many delays?

A. I would say at times we have had difficulty getting an answer. I have no qualifications as a radio man to speak about maintenance. I don't know what causes these delays in answering or getting communication, especially between a ship and Quebec. I only know that at times the wait is relatively long and it is hard to raise the station. That is all I can say. I don't know why.

Q. Now, to get back to this notorious Cap de la Baie light, do you know what originally, the equipment or installation was that was originally recommended by the lake trade?

A. I don't know what the requirements or what was recommended. All I know what was put there was a three-directional or three-channel, if you like, three distinctive colour light and especially in the curve around Coudres it was more of a menace than aid to navigation.

Q. I understand from the Exhibit filed that it was the intention of the Department to raise this installation?



1 English

2 A. And also to improve, to raise the
3 installation and improve the sectors.

4 Q. Do you feel this would make the instal-
5 lation satisfactory or not?

6 A. I would greatly doubt it because
7 due again to the current in the curve, I don't think
8 that such an installation, and, while this type of
9 installation might be a good navigation aid in other
10 types of channels or in other waters, I don't think
11 it is at that spot. It might improve what it was, but
12 that still does not mean it would be a good thing.

13 Q. Would you concur in the view that
14 we have heard some other witnesses that it is impossible
15 to construct range lights at this location by virtue
16 of the terrain?

17 A. May I decline -- I am not a civil
18 engineer and I think it would be for such men to answer
19 this. It is not within my knowledge.

20 Q. Would you feel a range light would
21 be useful in that location?

22 A. It would certainly be of help.

23 Q. When you pilot a ship from Les
24 Escoumains up river to Quebec what is the narrowest part
25 of the channel that you will encounter?

26 A. If you use the north channel?

27 Q. Using the northern channel.

28 A. North channel, 1000 feet.

29 Q. That is in the North Transverse?

30 A. And 700 feet in the southern channel.



- 1 Q. How long is the North Transverse?
- 2 A. The Transverse itself is nine miles
- 3 long.
- 4 Q. It is straight?
- 5 A. It is a straight line, yes, sir.
- 6 Q. And it is serviced from either end, by
- 7 buoys?
- 8 A. That is right.
- 9 Q. Is it buoyed with lighted buoys?
- 10 A. In the summer season, yes sir.
- 11 Q. How far apart are these?
- 12 A. They vary. The buoys are not at
- 13 equal distances. In the western part of the channel
- 14 they are as far as two miles apart and at some of the
- 15 eastern end of the channel it might be half to three-
- 16 quarters of a mile or even less.
- 17 Q. Is the current in this channel fairly
- 18 well in line with the direction of the channel?
- 19 A. Well, it is in the direction of the
- 20 channel at North Transverse Spit, but it does sit
- 21 across the channel and you have to be very careful to
- 22 maintain your side of the channel in this place. (Indicating)
- 23 Q. In this trip you are using the North
- 24 Transverse from Les Escoumains to Quebec, what normally
- 25 is the speed or the highest current you will encounter,
- 26 strongest current you will encounter?
- 27 A. If you have a strong tide and full
- 28 ebb you would meet six to seven knots, let us say six
- 29 knots to be quite fair, maximum six knots if you have
- 30 full head. You could reach six.



1 English

2 Q. This is normal?

3 A. Yes, sir, this is very normal, sir.

4 Q. Are these currents shown on the
5 chart?

6 A. Yes, sir. I don't know if they are
7 shown to that speed. I believe only the average speed
8 is being shown on that chart, and I believe at that
9 place it is showing as five on the chart.

10 Q. Have you ever measured the currents?

11 A. I haven't measured them personally,
12 but to get the speed from what you know the ship's speed
13 to be or what we have seen it in slack water, and what
14 they do over the ground, I would say seven knots would
15 certainly be encountered in those reaches.

16 Q. I understand you have been sailing as
17 a pilot for some 11 years?

18 A. Not as a duly licensed pilot, as an
19 apprentice and pilot for eleven years.

20 Q. Prior to that you sailed as a master
21 on lakers?

22 A. Well, for some months, yes sir, during
23 my apprenticeship I relieved masters on various ships
24 in the river.

25 Q. Various ships.

26 A. That is right.

27 Q. Did you sail with a pilot or without
28 a pilot?

29 A. Both, sir.

30 Q. How many trips did you make up river?



1 English

2 A. As a master?

3 Q. You would say you were trading frequent-
4 ly up river?

5 A. I could say I made several trips as
6 master up river, maybe a dozen, I don't know. It is
7 hard to say. I would have to get my old log book out.

8 MR. MASON: Thank you. If it pleases my
9 lord if the Commission is interested in this question of
10 recent improvements to the Decca navigation I could
11 arrange, or Captain Scott could, no doubt arrange for
12 a representative from Decca in Montreal to come.

13 THE CHAIRMAN: I think we have that in
14 mind. You might get in touch with our counsel on that.

15 MR. MASON: Because Mr. Simmons with that
16 company is willing to come and they have very good
17 mobile equipment which could be brought into the
18 Commission hearing and demonstrated if the Commission
19 is interested.

20 THE CHAIRMAN: We have the same intention
21 with regard to radar that are being used for navigation.
22 Everybody will be informed in due course as to when
23 and where we are going to have that. Our counsel is
24 looking into the matter so any help you can give him
25 will be much appreciated.

26 MR. JACQUES: In connection with that,
27 my lord, I might mention most likely we will have experts
28 in radar and also shore based radar, controlling movement
29 of ships in harbours, and also nautical architects and
30 other experts. The plans are not definite yet. As soon



1 English

2 as they are definite they will be made public.

3 THE CHAIRMAN: The minute you had left,
4 Mr. Brisset, is already gone.

5 MR. BRISSET: I think my cross-examination
6 will be longer than that. With your permission I would
7 like to make a statement on the topic of the headlines
8 to which the Commission has referred. I can assure the
9 Commission, and I am sure the Commission realizes it
10 wasn't without great anxiety I felt it my duty to go
11 into the facts in this particular case and present
12 them as fully and fairly as I possibly could. It wasn't
13 my intention to leave the impression that the pilot
14 concerned was an addict, far from it. I believe that
15 the Commission, and your lordship has suggested there
16 are other possible interpretations; namely, that this
17 pilot might have been under the treatment of doctors
18 involving the use of drugs, and I will go further than
19 that and say the pilot may well have been unaware of the
20 results which these drugs might have had on his
21 condition. He might have been completely innocent in
22 this respect. The point I wanted to make, and it is
23 a matter of argument, of course, is that it is of
24 absolute necessity that the physical fitness of pilots
25 be carefully checked before they board vessels. In
26 this case I provided an illustration.

27 THE CHAIRMAN: Yes, I think so, and that
28 is why I was quite pleased when this was brought up.
29 It is a question of security. Security has to work
30 both ways. If pilotage is necessary as far as security is



1 English

2 concerned we have to make sure that the pilot is not a
3 security risk as far as his duties are concerned. The
4 same thing applies with drivers on our roads. It doesn't
5 mean because there might be some drunken drivers at
6 times that all drivers are. It also doesn't mean that
7 we should not take steps to see that there are no drunken
8 drivers on the road. This is the way I took it. I
9 think the very fact that it happened, that it could
10 have happened showed there is a weakness there that should
11 be looked into. That is the way it was taken.

12 MR. LANGLOIS: My lord, as lawyer on the
13 record the pilot concerned, I wish to thank your lord-
14 ship, my learned friend Mr. Brisset and my learned friend
15 Mr. Lalonde for having made the statements that were
16 made this afternoon. I wish myself to just say this:
17 as your lordship will recall I objected when the cross-
18 examination was opened on this subject, and my only
19 purpose for so doing was to avoid what has happened,
20 wrong interpretation of the facts and publicity which
21 may be harmful to my client. That was the only purpose
22 in my mind when I made the objection at that time.

23 THE CHAIRMAN: I haven't read the article,
24 what
25 but from Mr. Lalonde said the facts were reported the
26 way they were told here. It was only the headlines that
27 were misleading.

28 MR. LANGLOIS: It is correct in one article
29 and in the other we have added a bit to the facts.

30 THE CHAIRMAN: We will adjourn until next



1 English
2 Monday morning at ten o'clock here in the same room. Is
3 that all right with everybody? Mr. Brisset, is that
4 all right for you?

5 MR. BRISSET: Yes, my lord.

6 THE CHAIRMAN: We will adjourn.

7
8 ---WHEREUPON THE HEARING WAS ADJOURNED UNTIL 10:00 A.M.,
9 MONDAY, THE 16th DAY OF SEPTEMBER,
10 1963.

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ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

QUEBEC CITY
QUEBEC

VOLUME No.:

64A

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Court House,
Quebec City, Quebec, on the
16th day of September, 1963

COMMISSION

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild
Mr. J. Brisset	for the Shipping Federation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Cor- poration of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots.

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- - - - -



Quebec City, Quebec
Monday,
September 16th, 1963

7647

1 English

2 ---ON COMMENCING AT 10:00 A.M.

4 MR. LALONDE: Captain Dussault please?

6 CAPTAIN MICHEL DUSSAULT, Recalled

8 CROSS-EXAMINATION BY MR. BRISSET:

10 Q. Captain Dussault during the course
11 of your examination on Friday you gave us a description
12 of the advantages of having a pilot on board during
13 the passage of your District, and I would like to preface
14 my cross-examination by stating to you, speaking for
15 the Shipping Federation of Canada, that we most heartily
16 agree with your description and the conditions.

17 Captain Dussault, during the course of
18 your examination you have also referred to the
19 navigable channel in various parts of the District and
20 have also used the term "the technical channel" and
21 as an illustration you were asked what was the width
22 of the channel in the vicinity of where the wreck of
23 the TRITONICA lies and you said it was one and a half
24 miles wide even though the river, the navigable part
25 of the river was or is, I believe, over two miles.

26 In this connection I would like you to keep
27 before you chart No. 1321 of the Harbour of Quebec.
28 Would you be good enough to have it in front of you.
29 Now Captain if you will look at this chart up river in
30 the Harbour, you will see that there is a pecked line



1 English

2 starting from the bottom of the chart with the notation
3 somewhere along this specked line "centre of the channel".

4 Will you indicate to the Commission the line
5 that I am speaking of?

6 A. My lord, and Commissioners, this is
7 the line that solicitor Mr. Brisset is speaking about.
8 This pointed line there indicating the mean course coming
9 through this part of the channel at Sillery, course 219,
10 that would be upbound and it's also spoken of a little
11 eastward there as centre line of ship channel.

12 As you see it lies a little more to the
13 northern part of the channel.

14 Q. Could you give us an illustration of
15 what is the technical centre line of the channel for
16 navigation purposes? Will you tell us how far off the
17 north shore this line is on the upper part of the chart
18 in Sillery?

19 A. Well as indicated on the chart here,
20 of course, this line might have been marked on the chart
21 as the centre line. It really lies very much to the
22 north shore of the channel and at one or two points there
23 would be as close as one to two cables off the shore,
24 the navigable shore. The bank of the river, not the shore.
25 It's the bank.

26 Q. And how far is it from the south
27 side of the river?

28 A. Well there again it varies, as off
29 Wolfe's Cove and Fly Bank. In those parts the channel
30 widens. I would say that from the bank off Pointe Pizeau



1 English

2 would be about four to five cables.

3 Q. Now Captain if I may suggest this to
4 you: Isn't the purpose of stating the technical centre
5 of the channel, as we have it there on the upper part
6 of this chart, to give vessels say going up or going
7 down as broad a reach as possible so that they would
8 not have to change course to follow the contour of the
9 land?

10 A. This is right sir.

11 Q. In other words it is important for
12 a ship, particularly a big ship to keep as straight a
13 course as possible for as long as possible?

14 A. That is right sir.

15 Q. And in doing so it may bring this
16 vessel a considerable distance off the actual centre of
17 the river?

18 A. It would, in some instances like
19 on this side (indicating).

20 Q. But this the vessel would be, if
21 she follows the course indicated by that pecked line,
22 in the technical channel or in the centre of the tech-
23 nical channel?

24 A. Well as depicted by the hydrographic
25 people. Not necessarily by the Authority as far as
26 seamanship is concerned. The rules of the road, I would
27 think, would prime over what the hydrographic people
28 have indicated.

29 The ships' channel people here might have
30 indicated this as being their centre line of the channel



1 English

2 but I doubt that the Admiralty court would take this
3 for the centre of the channel. I am sure they would
4 give preference to the rules of the road which says
5 you must keep to the right side in a narrow channel.

6 THE CHAIRMAN: Before you go on. In
7 speaking on the principle that was just said, that any
8 big ships would be advisable to keep going in a straight
9 line, as much as possible, would you explain why?

10 THE WITNESS: Of course I mean having to
11 constantly change courses, especially at nighttime,
12 from a safety point of view it is much more secure
13 if you are going in a straight line. It's easier to
14 meet with other vessels up and downbound.

15 If you are constantly changing courses,
16 it asks for that much more manoeuvring, that much more
17 space, of course, to handle the ship and that much more
18 attention on the part of people engaged in conning
19 or navigating the vessel. If you are going in a straight
20 line, it is that much easier in all these instances.

21 THE CHAIRMAN: This is true for any kind
22 of a vessel, big or small?

23 THE WITNESS: Yes, but much more so for the
24 large ship which requires more room, of course.

25 If you had to just keep on coming around
26 bends with a large ship in any passage anybody would
27 tell you it is that much more trouble with a big one
28 than a small one. A small one answers quickly. A large
29 vessel takes that much more time to navigate these
30 bends. Of course, during that time you have a change of



English

course which, of course, will mean that much more attention and I would say it was also harder to keep really to the righthand side of the channel if you are navigating around the curves all the time, instead if you are going in a straight channel it is much easier to keep to the righthand side of the channel on a straight course.

THE CHAIRMAN: The normal procedure is to round the bend by a series of straight courses?

THE WITNESS: Not necessarily sir. Of course, every course would have this series of straight curves but a fairly sharp bend, you just keep on turning. Of course, there again it would all depend on the size of the vessel, the currents and the direction of the currents at that time. In many cases you just can't make a course; just keep on turning. That is all you can do about it.

I think I gave a fair example of this in my testimony of the Saguenay River when we spoke about coming around Pointe Crêpe on the fast tide. This would be a good illustration. Just got to keep going and quick about it.

THE CHAIRMAN: In the Seaway also?

THE WITNESS: Yes sir, be about the same.

Q. Captain Dussault to give another illustration of what I have in mind, let us take the case of a ship rounding the bend at Beauport Shoal.

You will notice that there is also there a pecked line which is described as the centre of the channel, or the mid-channel line. Let us take a ship that is



1 English

2 proceeding down. Would you expect a ship that is
3 proceeding down to be on her side if she goes way to
4 the north but might still be south of the centre of the
5 river for her?

6 A. No sir, not if she is going down.
7 If she is in the northerly part of the channel going
8 down she certainly is not on her side.

9 Q. She still is in the middle of the
10 river if you look at the point which I have indicated
11 with my finger, say where there is 98 feet of water
12 here?

13 A. The exact place that you are point-
14 ing with your finger, if the ship is downbound I
15 wouldn't think she is on the righthand side of the river.
16 I would say she is in a dangerous spot whether she is
17 a downbound vessel or outbound vessel at this exact
18 spot you are pointing.

19 Q. In other words would you agree that
20 a ship going down will follow a course close to buoy
21 87-1/2B?

22 A. Yes sir.

23 Q. And a ship eastbound going down,
24 she will pass fairly close to 87-1/2B?

25 A. Yes sir.

26 Q. A ship going up at that reach will
27 also remain, I take it, to the north of the mid-channel
28 line as indicated by the pecked line?

29 A. She would be even well north of
30 this, if she is really keeping to her side of the channel.



1 English

2 Q. In other words, you would not expect
3 this ship to be south of that line even though, in
4 being south of that line, she would still be north of
5 the centre of the actual river?

6 A. Well the spot you are pointing with
7 your finger is not -- I would suggest to be dead centre
8 you should be right of that. You should be north.

9 Q. In other words, to summarize this,
10 doesn't the actual amount of navigable water at any part
11 of the river necessarily make the centre of the river
12 for navigable purposes?

13 A. Not necessarily sir. As I mentioned
14 from the hydrographic man's point of view, he has called
15 this the centre line of the channel. I don't think that
16 from a seaman's point of view of a safe navigation point
17 of view in many instances that this would be recommended
18 as the centre line of the channel.

19 Q. Do you mean to say that, for instance,
20 a ship going up in the vicinity of Wolfe's Cove would
21 be, in your opinion, taking a proper course if she was
22 going way out to the south?

23 A. No, not if she was going up sir.
24 If she was going up I would say she would be quite well
25 off if she is just about where the line is indicated
26 on the chart, which I say at this spot that line just
27 about indicates the upbound course. Any downbound
28 vessel, of course may be south of this or then you would
29 have a very dangerous situation if both ships more or
30 less were going to keep to this centre line so they would



1 English

2 be putting each other in danger.

3 THE CHAIRMAN: What is the use in having
4 that line on the chart there?

5 THE WITNESS: The pilots did not put this
6 line there. The hydrographic people who built this
7 chart, who made this chart put it there.

8 THE CHAIRMAN: Couldn't that be misleading?

9 THE WITNESS: In some cases for people who
10 would not know the river, then it would be sir.

11 THE CHAIRMAN: For instance, a downbound
12 ship would follow that line over there on the rising
13 tide and there might be trouble?

14 THE WITNESS: Could very well be.

15 THE CHAIRMAN: Keep close to this centre
16 line there would be trouble around curves?

17 THE WITNESS: Yes, especially in the vicinity
18 of Wolfe's Cove. If you keep on following this track
19 to keep to that track very close, not only put himself
20 in trouble but he could cause real trouble for anybody
21 else.

22 THE CHAIRMAN: And also in front of Lauzon?

23 THE WITNESS: That is right sir. This
24 would be very much the case of an upbound vessel in this
25 case if he kept to that side.

26 Q. Captain Dussault are you aware as to
27 whether other pilots agree with your opinion that the
28 centre line as indicated on the chart is not necessarily,
29 from a seaman's point of view, the centre line of the
30 channel?



1 English

2 A. I cannot answer for anybody else
3 but myself sir. I would think so but I cannot answer
4 for sure.

5 Q. Are you aware that the pilots have
6 made representations to the proper Authorities to
7 criticize this line indicated on the chart as being the
8 centre line of the channel?

9 A. Not to my knowledge.

10 Q. Frankly I must admit that I am some-
11 what puzzled because as a layman I would look at this
12 indication on the chart as a notice to mariners and
13 pilots that this being a narrow channel both the upbound
14 and downbound ships must keep to their side of that
15 line.

16 A. Well you could keep to that side,
17 it doesn't say how far from your side. If you just keep
18 to your side of this right hand, well off to your side
19 you would be quite safe but you would have to keep well
20 to your side. If you're downbound, even in the various
21 places indicated here, ^{and} kept well to her side, that would
22 be all right.

23 If you keep very close to the centre line
24 downbound I think you would be a menace to other ships.

25 Q. If I understand you well, if ships
26 kept to that centre line going in an opposite direction,
27 of course, that would be dangerous?

28 A. Very dangerous.

29 Q. But if they kept each on their own
30 side of that line there would be no danger?



1 English

2 A. No sir. If they are each to their
3 side of the line there wouldn't be danger. There might
4 be close quarters situation but there would be no actual
5 danger.

6 Q. Of course, close quarters would depend
7 how far apart they are keeping?

8 A. The old rule of the inch is as good
9 as a mile I suppose would apply here.

10 Q. To come back and to clear up this
11 point, do you think that this mark on the chart presents
12 advantages or is it something that you would rather
13 see disappear?

14 A. If I was to take this chart 1321
15 as an example, I would say that generally speaking I
16 would rather not see that line there sir. I don't say
17 this about all charts but on this chart I think that,
18 generally speaking, this line is more leading into
19 danger than anything else, if it was going to be taken
20 as the centre line. Of course, you must also ---

21 Q. Do you not agree that keeping to the
22 course indicated by that centre line, the ships that
23 would be using it would be getting as broad a reach as
24 they could?

25 A. I don't get you sir.

26 Q. What I am driving at is this: by relying
27 on this pecked line that you see on this chart and
28 steering a course accordingly, wouldn't the ships be
29 getting as broad reaches as could possibly be?

30 A. Yes, sir, of course remember any good



1 English

2 seaman, even if he is not a pilot here looking at this
3 chart and at soundings, which are very well indicated
4 here, and if anybody would see he has got 107 feet over
5 nearly to the side of the channel, I suppose most ships
6 could be navigated in safety at that spot.

7 We must understand that even if the man
8 conning the vessel is not a pilot, he at least has some
9 knowledge of navigation and I would say the requisite
10 of a certificate of any man is a good head and good
11 judgment.

12 COMMISSIONER SMITH: I see on this chart
13 here a date amended to March, I think it is, 1963.

14 MR. JACQUES: The exhibit is amended to
15 May 22nd 1963 sir.

16 Q. Now Captain Dussault I am very much
17 interested in what you have been saying. I want you
18 to, again relying on this same chart No. 1321, follow
19 the specked line from the top of the chart abeam
20 St. Petronille wharf up to the bottom of the chart
21 and I would like you to tell me whether if you are
22 on board a ship going up river, and not stopping in
23 Quebec, but going right through, I would like you to
24 tell me whether if at any time you would steer a course
25 that would take your vessel south of that line?

26 A. Upbound?

27 Q. Upbound.

28 A. Passing St. Petronille or West Point-
29 Orleans Island, no, I would be, generally speaking,
30 well north of this line. I would be so at all times up



1 English

2 to -- may I indicate on the chart?

3 Q. Yes. You may use a pencil, if you
4 wish, to indicate what your course will be?

5 A. Generally I would say that the course
6 would be something like this sir: very close on this --
7 well I would be well north of this line (indicating),
8 in any case, following very much the course indicated
9 except for here (indicating) I find that this is not
10 what the pilots upbound on ships would do. This sort
11 of brings you into trouble if you are going to come
12 in what is indicated on the chart. I would steer a
13 course something like this (indicating).

14 MR. LALONDE: Captain Dussault would you,
15 as much as possible, try to avoid referring "to this"
16 because it would not show in the transcript to what
17 you are referring. As much as possible indicate exactly
18 what you are referring to.

19 THE WITNESS: On this chart, passing off
20 West Point I would steer a course I would say about
21 272 which would be something like here (indicating) and
22 then, as I explained in my previous testimony a couple
23 of days ago, I would start rounding the bend at all
24 times keeping very well north of this line indicated
25 on the chart. I would be something like this (indicating)
26 coming very close to this one, 238B coming up at any
27 stage of the tide -- well if there are vessels along-
28 side at 25 and 26, we might just then keep a little more
29 to the centre of the channel not to cause any damage of
30 surges, something like that even reduce speed on large



1 English

2 deep draught vessels; could cause some damage to the
3 vessel and generally speaking still be well north of
4 this line and I would say it is just, as you would be
5 coming a little west of Queen's Wharf that we do not
6 jibe any more with the line indicated on the chart.
7 It would be for the part here (indicating). Let us
8 say I was going up to Irving Wharf, as we mentioned
9 it is well known.

10 Q. I am asking you to keep in mind
11 you are a ship going through the Harbour of Quebec to
12 Montreal.

13 A. If I was going to Petronille this
14 is what I would be doing anyway, I would be keeping
15 far from the line now. If I was upbound, possibly
16 maybe a shade to the south of it so that the line --
17 if I was upbound this line would be just about --

18 MR. LALONDE: "This line" when you are
19 referring to it ---

20 THE WITNESS: The line indicated on the
21 chart.

22 MR. LALONDE: You mean the centre of the
23 channel is that the line?

24 THE WITNESS: The line which is indicated
25 on the chart as the centre line of ships' channel.

26 Q. Now if you are a ship going down
27 river and not stopping in Quebec, but going through
28 to Les Escoumains, would you at any time steer a course
29 which would take you north of that centre line or
30 specked line indicated on the chart?



English

A. No sir. If I was downbound I would be steering, starting at the bottom of the chart of course at the upper part of the river, I believe parallel to this, fairly well in this part here (indicating) but well south of the line indicated on the chart as the centre line of ship channel up to just about the same point, I would say western of that Queen's Wharf where then of course I would be starting to manage the curves, always keeping south of the same line and in this case the line that we are speaking of on the chart, I would say from the portion from Queen's Wharf let us say to buoy off Lauzon there, from buoy 89B indicates fairly well the centre. I would keep well south of this and I would say that by the time you are coming to the shipyards or abreast of it, this line more or less you become -- would indicate the downbound course of the channel only as far as buoy 87-1/2B because from there on I don't go along too well with this because from there make a course more 92 which would be more southerly. Is that all right?

Q. Yes. Well to come back to the question, if you are a downbound ship do you at any time cross over to the north of the centre line of the channel as indicated by this specked line?

A. I am sure that I have crossed going north, but it would all depend; might be two or three small schooners coming up and cutting right across a corner here.



English

Q. I am speaking, of course, of a regular course not manoeuvring action to avoid collision with a schooner. I am speaking of a normal course. Do you or don't you keep south of the centre line of the channel when you are a downbound ship?

A. I would not keep much south of it in the part that is right off the Champlain Dry Dock because that line on the chart is just about as I said the downbound course; have to come very close but I would say in the normal course, I mean going west, outbound, I would just be on that line, on that spot (indicating), but it's often you can be a little let us say north of it, not too much, couple or two and still be fairly safe. It would be very much in the centre and I would not think this is such good navigation. I think if there is nothing special you should be very close to 87-1/2B outbound and then from there shape your course I mean for 092 as I mention, or thereabouts, depending on vessel, wind and current.



B/RPS¹ English

Q. You have told us that in this particular stretch of the river at Beauport Shoal, an upbound ship will have difficulty in picking up lights ahead because of the blinding affect of the lights in Quebec. Do you recall having stated this?

A. This is exact.

Q. Would you not think for safety of navigation ~~that~~ both upbound and downbound ships should keep well to their side of the speckled line in order to ensure safe meeting?

A. That is right. Of course, with the one reservation, your speckled line takes you nearly to the buoy.

MR. JACQUES: Which buoy?

THE WITNESS: A. 87-1/2B off the dry dock. You would have to be very close to that line on downbound.

MR. BRISSET: Q. Is the normal practice to leave that buoy on the starboard and be a few hundred feet off?

A. Yes.

Q. Let us go back to where the pilots are relieved in Quebec, in the vicinity which you indicated by a circle on the chart, and correct me if I am wrong: I have a notice that many ships, especially downbound ships seem to come rather close to the north shore. Do you know whether it is the practice of some pilots to do that?

A. Well, in a few instances what you refer to might have been true. I would be inclined to



1 English

2 think it is when there is good visibility and there is
3 nothing upbound. I cannot say this is true. I have
4 never done it, so I cannot speak for anybody else.

5 Q. However you wouldn't think it safe,
6 especially in bad weather or bad conditions where there
7 is heavy traffic for downbound ships, to come too close
8 to the north shore, making a change of pilot?

9 A. Definitely not.

10 Q. Captain, I would like to refer to
11 the evidence which you gave last Thursday. I would
12 like to quote here from page 2359 and page 2360 in the
13 transcript, because I believe that the translation may
14 not be accurate here. You were speaking of the courses
15 steered by upbound ships in the vicinity of Lark Reef,
16 and then in the channel of White Island. I would like
17 to quote your words in this connection. This is in
18 French, my lord:

19 Q. Très bien, merci.

20 A. Après être rendu à la bouée 98 qui
21 est maintenant connue sous le nom de bouée Lark Reef ou
22 Pointe aux Alouettes, nous faisons généralement une
23 course pour venir prendre le Cap aux Chiens qui est
24 notre prochain point de repaire sur le côté nord, une
25 distance d'un demi-mille à trois quarts de mille, en
26 montant, au maximum.

27 Cette course-là, encore, ça demandera
28 beaucoup d'attention de la part du pilote, surtout dans
29 les grandes mers où les courants venant du chenal du
30 sud de l'Ile Rouge, ce que nous appelons le chenal de



French

1 l'Ile Blanche, affectera son navire, surtout si c'est
2 un navire de peu de pouvoir, avec un tirant d'eau assez
3 énorme, la encore jusqu'à dix ou quinze degrés, ce sont des
4 occasions fréquentes de course dans cette partie, et
5 avec des conditions de visibilité les navires peuvent se
6 rencontrer d'une façon assez dangereuse.

7
8 Q. Pourriez-vous dire s'il y a des difficul-
9 tés particulières en rapport, par exemple, avec les
10 rencontres de goélettes aux environs de la bouée 96b?

11 A. Oui.

12 Q. Est-ce que c'est un endroit
13 particulièrement utilisé par les goélettes, dans cette
14 région?

15 A. Oui, et ça se comprend un peu.

16 La majorité - je ne dirai pas "la majori-
17 té", mais un bon nombre des goélettes que nous rencont-
18 rons dans cette région se dirigent pour faire l'entrée du
19 Saguenay, et les pilots, nous nous y attendons un peu,
20 c'est un peu leur point de départ, ni plus ni moins, un
21 point d'amarrage qu'ils viennent faire, cette bouée 96,
22 ils suivent le côté nord, et souvent, dû à leur faible
23 tirant d'eau, pourront même passer par-dessus la partie
24 extérieure du Banc des Alouettes.

25 Alors, c'est un coin où il faut faire très
26 attention, un point de convergence, où les bateaux
27 peuvent venir de deux ou trois directions à la fois,
28 et comme vous pouvez facilement le comprendre, dans
29 la brume, ceci est assez délicat.



1 English

2 A. I would say there is one or two
3 important words that have been omitted which changes
4 the whole meaning of my testimony there.

5 Q. Would you then explain what you had
6 in mind? Will you explain what you want to say to us
7 by referring to the chart in relation to the currents
8 at White Island? Will you tell us what the number of
9 the chart is that you are using?

10 A. To answer you, your lordship, I
11 will use chart 1204, your Exhibit 435. We have just
12 left the channel passing north of Red Island, that is
13 between Lark Island Reef, and we had just made a
14 departure from Buoy 96 shaping a course for Cape Dog,
15 Cap au Chien. I mentioned -- in relation to what
16 you just read, I was speaking about having to be very
17 careful of the strong tides and strong currents that
18 will be coming up the south channel south of Red Island
19 and through the channel between Red and White Island,
20 which commonly known as White Island Channel. These
21 currents, when I speak in what you have read of 10 or
22 15 degrees, that was 10 or 15 degrees of leeway that
23 have to be applied to the course, to the normal course
24 to keep the vessel in its proper position, especially
25 as I mentioned a low power vessel at strong tide
26 conditions.

27 Q. In other words, if you are coming up
28 on a strong tide the flood tide . . .

29 A. Would have a tendency to throw you
30 right to the shore.



1 English

2 Q. A flood tide would have a tendency
3 to set you to the north and you have to allow by making
4 the required alterations of course, 10 or 15 degrees.

5 A. On the flood tide this would be
6 quite your direction. I would worry more about tide,
7 spring tide than which channel, 10 to 15 degrees to a
8 low powered vessel, especially de-draughted on the
9 ebb tide when you are dragged very much to the south,
10 and, of course, in the downbound course.

11 Q. I want to come to this. You were
12 speaking of a south to north, and I take it that this
13 set to the north is felt on the flood tide?

14 A. Yes, sir.

15 Q. When you are coming down. If you
16 are going up on an ebb tide this vessel will be set
17 to the south?

18 A. Yes, sir.

19 Q. And even . . .

20 A. May I interrupt your lordship: when
21 we spoke, I hope you took it we were speaking of the
22 south side of the channel and the north side, and not
23 a southerly direction, due southerly direction.

24 Q. Of course.

25 A. Yes.

26 Q. A ship coming up on the ebb tide,
27 on the strong spring tide would be set to the south?

28 A. Yes, sir.

29 Q. That is right. You have to allow
30 as much as 10 to 15 degrees.



English

A. That is my personal -- that has been my personal experience, yes, on certain ships, not all of them, but certain vessels.

Q. You are saying that of course in your own experience as pilot in that particular vicinity knowing how the currents will affect your ship?

A. That is right.

Q. Somebody who has no experience in these currents might find himself in difficulty if he does not allow for such a set and drift?

A. He sure would, sir. Where the difficulty -- he might still be in deep water but he would be in a dangerous position in dirty weather conditions for downbound vessels and be a menace to navigation.

Q. You wouldn't expect an experienced pilot to find himself in this dangerous position, not having allowed for the set and drift?

A. I hope not, sir.

Q. Will you take chart No. 1207 which is Goose Cape to Grosse Island. Will you tell me if you find the same phenomena as we have described for the stretch in the vicinity of White Island, in the stretch which is called Coudres Passage?

A. Yes, sir. There again I believe I was fairly explicit in my testimony about the very strong tidal currents experienced in the whole region from Goose Cape right up, of course, to Cap Brule, but especially in the parts between Cap Martin and Cap de la



1 English

2 Baie, and a man without, I would say, a very good
3 knowledge of tidal conditions and currents there, I
4 mean, I believe could be easily dangerous man to have
5 in charge of a vessel, conning a vessel in that part.

6 Q. Now, to go back to the affects of the
7 tides: when it is ebbing as compared to when it is
8 flooding, will you tell us how the tides would sit,
9 the currents would sit on the ebb for a vessel coming
10 up?

11 A. Let us say you were passing upbound,
12 Cap Martin, especially with a deep draught low powered
13 vessel, the man in charge, the pilot would have to be
14 very careful to keep his vessel, and in all instances
15 he will make a few degrees of leeway to keep his vessel
16 well to the north side of the channel. This becomes
17 again a narrow channel here. This would come to a width
18 of barely a mile, so it is technically known as a
19 narrow channel. I would think there is a strong tendency,
20 especially at Cap St. Jpseph to set you right to the
21 wrong side, set you right along the bank to Coudres
22 Island, especially between Cap St. Joseph and nearly up
23 to Prairie Shoal this has happened, in many instances,
24 to meet ships which weren't aware of this and were
25 steering, I would say, in a course which left much to
26 be desired in a position they were also very dangerous
27 for downbound vessels.

28 Q. When you speak steering courses
29 much to be desired, I take it you mean you were steering
30 a normal course, not allowing for the set?



English

A. Not necessarily. You will find a man which didn't guard against this, he will be well off on the wrong side of the channel. If he notices and he has to get back on the right side, what is going to happen, especially at night, he is going to have to steer nearly right across the channel. He is just presenting the broad side view of his vessel to all downbound vessels. He is already in the wrong side of the channel. He is presenting the whole length of his ship broadside to the vessels coming down, and of course, this creates a dangerous position for the downbound vessel. Is he going to pass on one side of the vessel -- this vessel as I mentioned is already on the wrong side of the channel. The fellow is going to get into a quandary. This makes it dangerous. Are you going to pass astern of him and close to the shore and put yourself in a dangerous position or are you going to try to pass across his bow which again is a dangerous thing to do. What is happening in this case? This is dangerous. He puts not only himself in a dangerous position but everybody else concerned in this situation. In this time of strong tide affecting these vessels, and add to this low visibility and you will imagine the result.

Q. Again, Captain Dussault, you wouldn't expect an experienced pilot coming up the river to allow his vessel to be taken by the currents and drift close to the shore of Coudres Island?

A. No, I wouldn't expect an experienced



1 English

2 man to let this happen to his ship.

3 Q. I understand, and I think this
4 comes
5 information/from the St. Lawrence Ship Channel, from
6 Father Point to Montreal, the publication of the
7 Department of Transport, that along the north shore
8 to Coudres Island the current is stronger there than
9 in the centre of the channel. Are you aware of this?

10 A. Well, it might be if you start
11 measuring it there with much exactitude. I would
12 say the currents there are quite strong. It all depends
13 what you mean by in shore. Does it mean close to the
14 rocks, in two or three fathoms?

15 Q. Close.

16 A. Two or three fathoms of water --
17 I have never come that close.

18 Q. You have never done that?

19 A. In navigating the channel when the
20 currents are swift and strong -- there might be a course
21 -- depending -- there are various things that would
22 come here, and I don't think that would make that much
23 difference. It would still be very dangerous.

24 and a question for you if you

25 Q. In other words you wouldn't expect
26 a large vessel coming up the river to stay close to
27 Coudres Island near shore, in order to take advantage
28 of the currents?

29 A. The rules of the road are very
30 emphatic on this. They say in any case in a narrow



1 English

2 channel you must be on the righthand side of the middle
3 line. If you are near shore you are not on the righthand
4 side of the middle line of the channel.

5 Q. Keeping the same chart before you,
6 Captain Dussault, will you pinpoint to us the location
7 of the wharf at St. Joseph de la Rive?

8 A. The wharf is indicated -- I have
9 pointed it out in former testimony here on the chart.
10 I put a blue pencil mark. I will now indicate it with
11 a red circle. There is a letter A. I will indicate
12 this with letter B on the chart.

13 Q. Now, Captain Dussault, isn't it a
14 fact on the current chart there is shown the presence
15 of a flashing green light on this wharf at St. Joseph
16 de la Rive?

17 A. That is correct.

18 Q. Do I take it that that light is
19 not there, in fact, even though it is shown on the
20 chart?

21 A. Yes sir. I again also referred to
22 this in my previous testimony. In the last two seasons
23 while this wharf was being reconstructed the light is
24 not there.

25 Q. Will you proceed up river on the
26 same chart to the position which you have indicated to
27 us as being the position of the wreck of the TRITONICA
28 and tell us whether that position is indicated by means
29 of a buoy in this channel at present?

30 A. At present, actually?



1 English

2 Q. Actually?

3 A. Yes, sir, a green wreck marking buoy,
4 now fitted with radar reflectors is in position.

5 Q. Where is the buoy located in relation
6 to the wreck?

7 A. The buoy is located to the north
8 side, always speaking of the north and south sides of
9 the channel.

10 Q. Vessels negotiating this channel
11 whether they are upbound or downbound will leave that
12 buoy on what side?

13 A. They will leave the buoy on the
14 south side of the vessel either up or downbound, in
15 any case. The vessel downbound will have the buoy on
16 the starboard hand and the vessel upbound the buoy on
17 the port hand of the vessel.

18 Q. In other words all ships pass to
19 the north of that buoy?

20 A. I wouldn't say that. It is still
21 possible to pass south of the wreck, but it is being
22 recommended by the notice given us by the D.O.T., the
23 Department of Transport to pass north, a ship should
24 leave this buoy, should pass north of the buoy by the
25 recommendations, but it is still technically possible
26 to pass, and I am sure several small vessels are doing
27 it.

28 Q. Not large vessels. You wouldn't
29 expect a large vessel to go on a little detour to go
30 around the wreck of the TRITONICA?



1 English

2 A. I wouldn't expect it.

3 Q. You wouldn't think, I imagine, it
4 would be very prudent manoeuvring to go in and then
5 turn around and come back?

6 A. No, sir.

7 Q. Nevertheless, Captain, could you tell
8 us whether in your experience as a pilot you consider
9 the wreck of the TRITONICA where she lies at the moment
10 a danger to navigation?

11 A. Yes, I would say that she is danger-
12 ous to navigation. Let us take one striking example,
13 bad visibility or dense fog and a vessel not equipped
14 with radar or, if she is equipped with radar her radar
15 is not functioning properly, which is in several cases.
16 I mean, of course, she will be a menace to navigation
17 standing there in the navigable channel.

18 Q. Now, Captain, would is the normal
19 course say, for a ship going down in that locality,
20 and what is the mark relied on?

21 A. Well, going down Cap
22 ranges and if you are downbound, 026-1/2 in transit.
23 I would think even if you are steering this it would be
24 very seldom, due there again to the tidal conditions,
25 winds and everything, you would keep well to your
26 side of the centre line. There again the centre line
27 is just like the middle of the road. Everybody is to
28 the right of it.

29 Q. When you say centre line, I take it
30 from your evidence that you would consider yourself in



1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1801. It contains a report on the state of the Union and the progress of the government during the year 1800.

2. The second part is a report from the Secretary of the Treasury, dated February 1, 1801. It contains a detailed account of the financial state of the country and the measures taken to improve the public credit.

3. The third part is a report from the Secretary of the Navy, dated March 1, 1801. It contains a detailed account of the naval operations and the state of the fleet.

4. The fourth part is a report from the Secretary of the War, dated April 1, 1801. It contains a detailed account of the military operations and the state of the army.

5. The fifth part is a report from the Secretary of the Interior, dated May 1, 1801. It contains a detailed account of the land and mineral resources of the country and the measures taken to develop them.

6. The sixth part is a report from the Secretary of the State, dated June 1, 1801. It contains a detailed account of the diplomatic relations of the United States with other countries.

7. The seventh part is a report from the Secretary of the Department of the Interior, dated July 1, 1801. It contains a detailed account of the land and mineral resources of the country and the measures taken to develop them.

8. The eighth part is a report from the Secretary of the Department of the Navy, dated August 1, 1801. It contains a detailed account of the naval operations and the state of the fleet.

9. The ninth part is a report from the Secretary of the Department of the War, dated September 1, 1801. It contains a detailed account of the military operations and the state of the army.

10. The tenth part is a report from the Secretary of the Department of the State, dated October 1, 1801. It contains a detailed account of the diplomatic relations of the United States with other countries.



1 English

2 the centre of the channel when you have the Carbeau
3 range lights in line?

4 A. True, sir.

5 Q. For a downbound ship to be on his
6 side of the channel these lights should be open somewhat
7 to the south and vice versa for the upbound ship?

8 A. Exactly.

9 Q. How do up and downbound ships meet
10 in that vicinity, normally? Is it port to port or
11 starboard to starboard?

12 A. Port to port in all cases, red to red.

13 Q. Definitely?

14 A. Yes.

15 Q. They don't meet otherwise?

16 A. They might meet otherwise but I would
17 think it is the normal way of things.

18 Q. In other words if you are yourself
19 on board a ship going on that stretch of the river you
20 would expect to meet opposite traffic port to port?

21 A. That is right, red to red.

22 Q. Normally?

23 A. That is right, sir.

24 Q. Captain, you have spoken of radar
25 during the course of your evidence. Do you find that
26 generally speaking nowadays ships are fitted with
27 radar, the ones you are piloting?

28 A. On a large proportion, yes, yes.

29 Q. Are the pilots particularly, and I
30 would like to speak of your own experience, taking advant-



1 English

2 age of this aid to navigation while piloting vessels
3 in their District?

4 A. I take all the advantages that are
5 to be derived from that, particularly in dirty weather.

6 Q. In other words you are using this
7 aid to navigation as an aid which is assisting you in
8 your job?

9 A. Yes, sir.

10 COMMISSIONER SMITH: Excuse me if I
11 interrupt you, but the radar, as I understand from
12 previous evidence, is not always reliable; is that
13 not a fact?

14 THE WITNESS: Well, it isn't always
15 reliable, I wouldn't think is the accurate word, your
16 lordship. Many radar are a little amiss in accuracy,
17 either in giving bearings or in distances that they
18 show. There might be a certain percentage over and that
19 is being allowed in making of them. I don't believe
20 in Canada we have this, but in England the Ministry
21 of Transport have set definite standards, but their
22 error must not be over so much percent, I think there
23 definitely in most radars there can be a discrepancy,
24 but I wouldn't say unreliable unless the instrument
25 is really not working properly. If the instrument is
26 working properly I would say not strictly accurate would
27 be the way I would describe it. There is often a small
28 margin.

29 MR. BRISSET: Q.c Captain, when you come
30 aboard a ship equipped with radar, say at either



1 English

2 Escoumains or Quebec and you expect ebbing water
3 conditions ahead, for instance, will you make it a
4 point to check on the accuracy of the radar as soon
5 as possible after you board the ship?

6 A. I would, sir.

7 Q. There are ways and means of checking
8 the accuracy of radar; isn't that true?

9 A. There is, sir, to a certain degree
10 of efficiency. I wouldn't say to a more exactitude,
11 but as to a relative degree of accuracy, yes.

12 Q. In other words you can check whether
13 the bearings you are getting on the radar are to a
14 certain extent or up to a certain extent true bearings?

15 A. Yes, sir.

16 Q. And you could also check whether
17 the distances you are getting on your radar set are more
18 or less exact?

19 A. Yes, sir.

20 Q. Would you agree that this is a thing
21 a pilot coming on board a vessel should do, just as
22 he checks on the accuracy of the compass when he comes
23 on board?

24 A. You are quite correct.

25 Q. Have you attended a course on radar,
26 Captain?

27 A. Well, not ---

28 Q. At the Maritime School or otherwise ?

29 A. I have had courses in radar some
30 years ago, at the very beginning of it, I would say ten



1 English

2 or twelve years ago, but since then I haven't attended
3 any organized courses. I have studied it personally.

4 Q. You are aware that there are contin-
5 ually improvements on radar sets, technologically, are
6 you not, as years go by?

7 A. That is exact.

8 Q. As in any other technical machine
9 improvements go on as years go by.

10 A. This is correct.

11 Q. Would you agree that it would be
B3 12 advisable for pilots, say in the District of Quebec,
13 since it is your District, to have refresher courses
14 on radar operations during the wintertime, for instance?

15 A. I very much agree, sir.

16 Q. You would agree with that. It would
17 include not only the aspect of operations, but also,
18 perhaps, the aspect of maintenance to a small degree?

19 A. Well, it might be helpful -- on the
20 maintenance side of your question, sir, I would like to
21 state here, I don't expect a pilot who is actually
22 engaged in piloting to maintain the ship's set.

23 Q. However, I think you would agree
24 with me pilots have at times, have to look at the radar
25 and you don't get a very good picture, and there are
26 some adjustments to be made which would improve the
27 reception?

28 A. Yes, I would call this more operation
29 than maintenance.

30 Q. Well, that is what I had in mind.



1 English

2 You would agree that pilots should be familiar with
3 this type of operation in order to approve, for instance,
4 reception on a radar screen?

5 A. Yes, sir.

6 Q. Would you also agree that pilots
7 should be able to detect, for instance, whether the
8 head marker is off centre?

9 A. Of course, sir, that should be
10 checked even now. That is one thing that can be
11 checked fairly easily. I mean, having the ship's
12 head steady on something and checking on the radar,
13 I think this should be done, of course, and they should
14 know how to check that.

15 Q. Now, you have heard, I am sure, and
16 also seen fitted on ships this rather recent type of
17 radar which is called true motion type. What is your
18 experience from the point of view of frequency of ships
19 coming into this District with true radar equipment on
20 board?

21 A. There are so far only a fairly small
22 number of vessels so-equipped. There has been some,
23 but I would say that it is a very small number, really
24 taken on the whole.

25 Q. Would you also agree it would be
26 advisable for pilots in the District to become familiar
27 with this type of radar, as I take it it must be
28 assumed that its use will increase in the future?

29 A. Of course it would be desirable.

30 Q. Let us assume a theoretical case,



1 English

2 Captain, that you have a pilot that is in Class A and
3 therefore called upon to pilot the largest vessels coming
4 into your District. If you had any such pilot, a pilot
5 who is not familiar with radar or is even afraid to use
6 it because of lack of knowledge of it, would you not
7 agree that he should not be classed as an A pilot but
8 rather a lower grade of pilot?

9 A. I think this would be . . .

10 Q. Purely theoretical now.

11 A. I am not ready to go along with
12 counsel here. I would think that the pilot has also
13 the right to expect the officer responsible for the watch
14 on the bridge and the Master, if necessary at a certain
15 time because of dirty weather conditions, I think the
16 pilot would be in his right to demand, as a matter of
17 fact, that these people would furnish him with all the
18 information available from the radar, and just keep,
19 sort of, his nose clean in conning the ship. I don't
20 think necessarily a pilot has to do the radar instruction.
21 It is generally in many cases in practice -- it is
22 a great help to navigation, but I don't believe in this
23 case if I was in this case as an older pilot, I would
24 just demand that the Master or the officer there who
25 should be radar-trained give me all the information
26 available and from that information and my knowledge
27 of the river as a pilot I think quite a decent job could
28 be made.

29 Q. Let me change my question, pilot.

30 Let us assume you have two candidates to be promoted to



English

Class A pilot and one is not familiar at all with radar in the sense that he has had no school training, and another who has had a course, followed a course in radar operation and maintenance, which of the two do you think should be promoted as Class A pilot?

A. Would you take both candidates as having equal experience?

Q. Yes.

A. I would, of course, prefer the man who was trained in radar then at this time. You are not trying to match a man with much less practical experience to an older man?

Q. No.

A. With equal experience and service on the river, and knowledge or lack of knowledge in radar, I would, of course, prefer a man that has knowledge of radar.

Q. Do I take it this would apply to other categories, C to B and C2 to C1 and so on?

A. Of course.



RPS 1 English

2 Q. Now I congratuled you Captain on
3 your description of the advantage of using a pilot for
4 ships, considering the whole of your District at the
5 beginning of my cross-examination. I would like to
6 go a little more into this. I take it, and correct
7 me if I am wrong, that one of the main advantages of
8 a pilot on board is that he is, of course, able to
9 advise the master because of his familiarities with
10 his District from the point of view of current, land-
11 marks, and that sort of thing?

12 A. Exactly.

13 Q. Am I right in saying that in the ways
14 of your District you have to keep abreast of the changes
15 that take place, because they take place from day to
16 day or week to week?

17 A. Yes sir. You are quite exact. I
18 would expect a pilot to be very much interested in
19 everything that happens in his District.

20 Q. To be a good pilot in your District
21 you have to be on the job all the time, or most of the
22 time?

23 A. Either on the job or keeping a very
24 close eye on it. I mean you could be sick for a year
25 but still be very interested, having your friends visit
26 you or even keeping to the latest Notice to Mariners --
27 I would like to mention that a large majority -- I would
28 not say the majority, but a large number of pilots
29 receive a Notice to Mariners to their private homes and
30 keep track of everything that happens in their District



1 English

2 and this is especially a very good way of doing it, and
3 of course conversation with your friends.

4 Q. You are aware Captain Dussault of
5 a good many masters of ships that do travel within your
6 District do quite a number of trips a year and also
7 receive the Notice to Mariners. You are aware of this?

8 (Witness nods head yes.)

9 Q. Would you still think that a pilot
10 is really more familiar than even this regular trader
11 would be with the peculiarities of the District and
12 able to assist this master because he is doing so many
13 more trips?

14 A. I would think so sir. He is keeping
15 his hand in at all times. There is very little that
16 happens in the river, geographically speaking or speak-
17 ing about currents or aids to navigation, he knows about
18 them. He knows if that buoy just went out yesterday.
19 He knows if there is a dredge that changed place this
20 morning. He would know all these things.

21 Q. Which a master of a ship, even though
22 he might do 30 or 40 trips in a year will not be as
23 familiar with as a pilot is?

24 A. It is impossible sir. The masters
25 of the vessel, even if he is making that large number
26 of trips, which I find a little excessive, a year 30
27 to 40, it would be impossible I am sure -- even if he
28 is doing them, he is not there all the time. It is
29 impossible to be there and having a look at the river.
30 The pilot is. He is looking, he is interested. The



1 English

2 master might be aboard the ship, but I would sure like
3 to know where he is during all that time. He is certainly
4 not on the bridge during that time. It is impossible.
5 That master has his own work as master of the vessel.
6 Has to sleep sometime, rest sometime. Can't be there
7 at all times.

8 Q. In other words, to be a good pilot,
9 to use your own expression, you have to keep your hand
10 at it?

11 A. Of course sir.

12 Q. Am I right in assuming that you
13 would not consider that a pilot who does only a few
14 trips a year should be the type of pilot that you should
15 have in your District?

16 A. Well if it is a recurring occurrence,
17 I would say if he only makes three or four trips a year
18 for ten or fifteen years, that he is not a desirable
19 man as a pilot.

20 Q. Would you agree that if he is absent
21 more than half of the time during the Pilotage season,
22 it is not a good thing either?

23 A. Would you mean half the time during
24 a large number of seasons or for one season? A man
25 could be sick.

26 Q. Say for two or three, four or five
27 seasons?

28 A. This man, of course, would be
29 lacking very much.

30 THE CHAIRMAN: In a case like that would



1 English

2 there be a course, a refresher course a new examination
3 that he could take?

4 THE WITNESS: The D.O.T. has such a rule
5 sir already.

6 Q. By referring to new examination, you
7 refer, of course, not to medical examination I take it
8 but to an examination of the conditions of the District
9 as they may change all the time?

10 A. You are quite right. I believe the
11 rule is if a man is absent for more than two years with-
12 out taking a trip on the river, that the D.O.T. can
13 ask for a brand new examination of his knowledge.

14 Q. Now to change the subject, it has
15 come to my knowledge that a good number of pilots in
16 your District keep what we call a log of their trips.
17 Are you familiar with this practice?

18 A. Yes sir.

19 Q. Am I right in saying that in this
20 log they enter the characteristics of the ship which
21 they are going to pilot, the dimensions, tonnage, speed,
22 the weather conditions prevailing during the passage,
23 their time off various buoys, and landmarks, and of course,
24 the time on embarking?

25 A. This is correct sir.

26 Q. You are aware of this type of log?

27 A. Yes sir.

28 Q. Are you aware that there is a special
29 form that is in use with all entries, or some of the
30 entries already indicated?



1 English

2 A. Yes sir. Actually a practical log
3 book was published I would say by one of our own pilots
4 some years ago and is in fairly current use.

5 Q. You are being shown now a blue book
6 by counsel for the Commission. I would ask you whether
7 this type of log book is kept by pilots in your District?

8 A. Yes sir. Those who keep this type
9 of personal log, this is very much in use by many of
10 our pilots in our District.

11 Q. May I ask whether you use it yourself?

12 A. No sir.

13 Q. You know personally what is the
14 percentage of pilots using this type of book?

15 A. No sir. I know that several pilots
16 use it. That is all I can say. I have never made
17 any investigation that way.

18 Q. I would like, my lord, to file this
19 book as an exhibit.

20
21 ---EXHIBIT NO. 668: Book entitled "personal
22 pilotage book for the complete
23 year".

24 Q. I would like to ask you whether you
25 are in favour of recommending that such a book be used
26 by all pilots. I assume that since you do not use it
27 yourself you are not going to say that you would recom-
28 mend it. Am I wrong?

29 A. I might be personally wrong. As a
30 matter of fact, I would recommend it for some pilots, might



1 English

2 find it -- some people like to keep very strong records
3 on everything. I don't mean to say that I never keep a
4 log of certain trips. In dirty weather I usually keep
5 a small log on the back of a card, or something like
6 that at times, and what I find necessary to help me
7 in that kind of condition, but I do not keep this special
8 log myself. I see nothing wrong. On the contrary,
9 I think it is a very good idea to keep it.

10 Q. Would you then go as far as saying
11 that perhaps it should be recommended that all pilots
12 do keep such a book and that that be enacted by
13 way or regulation or By-Law of the District?

14 A. Well I have always to say that there
15 is already quite a number of regulations and I do not
16 like to add to them sir. I see nothing wrong. On
17 the contrary, some good to be derived from keeping such
18 a log book or any other kind, for that matter.

19 THE CHAIRMAN: What is really the purpose
20 of this, the practical purpose? I mean not to find out
21 what work he has done. That is already kept by some-
22 body else. This is only to check his duty personally.

23 THE WITNESS: It's only for a personal
24 record your lordship. The only use -- once a job is
25 done -- and that is why I don't keep one -- once I have
26 piloted and done a good job, I don't need the record.
27 Such a date for the Pilotage, such a ship and these are
28 the qualities of the ship or you may get some ships
29 back and like to know a bit ahead of the trip itself.
30 It's your own personal satisfaction or own personal



1 English

2 record, therefore a help during the trip. You can keep
3 a log as you go along of course. I have passed
4 Cap Brule at such and such a time, such a distance and
5 well if you can't remember by the time you get to Morin
6 and back a good pilot should remember without keeping that.

7 THE CHAIRMAN: This is like some people
8 keeping their own daily journal?

9 THE WITNESS: That is right.

10 Q. If you might indicate some of the
11 advantages of this book, wouldn't it be right that if
12 you could compile such a log you would keep a pretty
13 accurate idea of the velocity of the current, for
14 instance at various stages of the tide and how much you
15 will gain on certain tides and how much you will lose
16 at certain tides?

17 A. It could be a help in this way and
18 an indication, but I wouldn't make a survey from such
19 books. You go aboard a vessel and the captain will
20 say, you will ask him the speed, and the captain will
21 say 15 knots. It might very well be 14-1/2. They like
22 to be sometimes on the optimistic side of the question
23 and say it is 15, and it might take as much as 40
24 minutes to really get up to that speed. Some ships
25 take a long time to work up to speed. It wouldn't put
26 much faith in a tidal survey.

27 COMMISSIONER SMITH: Wouldn't there be
28 some advantage in finding out the behavior of a ship
29 in certain berths, weather conditions and jot it all
30 down in your log especially when you are on that ship



1 English

2 again, you can use that information to advantage?

3 THE WITNESS: Yes, that is a little bit --
4 this comes back sir to what I just mentioned to your
5 lordship when he asked the advantage of the book.
6 Some pilots keep it, use it like that. They get the
7 same ship again. If they have this personal record
8 book, they can look back at it and see such and such
9 a ship, such a draught and there is a different space
10 for the remarks concerning the vessel, especially if
11 you are manoeuvring with the ship. Like I say, I
12 recommend the book.

13 THE CHAIRMAN: If such be the case, it
14 would be advisable that such information be circulated
15 also among the pilots?

16 THE WITNESS: Well like we mentioned before
17 sir the same ship might not handle exactly the same
18 because there is nearly always some changes of trim,
19 draught, weather, tidal conditions. There is a different
20 berth. There are so many intangibles I would say in
21 this case here that mostly tell a pilot this and on the
22 contrary will happen, when he puts the ship half astern
23 and he will come back and tell you any sort of fool --

24 THE CHAIRMAN: As far as the ship is
25 concerned, the Master is supposed to give you its
26 characteristics?

27 THE WITNESS: That is right sir and a good
28 pilot should inquire.

29 THE CHAIRMAN: For instance, I understand that
30 certain vessels would have a tendency of nosing down at



1 English

2 full speed?

3 THE WITNESS: Yes sir. Large tankers have
4 this tendency now.

5 THE CHAIRMAN: And so, therefore, this
6 is information that you should be given?

7 THE WITNESS: Quite correct.

8 THE CHAIRMAN: So you will find that in
9 your log book. The Captain is supposed to tell you that?

10 THE WITNESS: This is generally done by
11 the Master.

12 THE CHAIRMAN: That is an advantage to the
13 book.

14 THE WITNESS: Well I suppose, as I say,
15 there are many small advantages but none that I find
16 that makes it compulsory. It's that word that I don't
17 like. Too many things are being made compulsory these
18 days that I don't think this would be really needed.

19 THE CHAIRMAN: The keeping of the book
20 would come from the habit of the Captains keeping a
21 log book when they are in charge of vessels?

22 THE WITNESS: Yes sir.

23 THE CHAIRMAN: So they carry on when they
24 are a pilot. We have that all over the country. They
25 are keeping records as a Captain; a small black book
26 being kept by the wife.

27 THE WITNESS: Even during an actual trip
28 this would be a help, as I say, as a reminder that you
29 have passed such and such a checkpoint at such a time.
30 Like I say I recommend the book but I wouldn't like to



1 English

2 have it compulsory.

3 Q. May I suggest one other use, pilot,
4 and I am speaking now of personal experience. This book
5 has been found exceedingly useful when the pilot has
6 been involved in a collision, for instance, and could
7 give us his time, speed at various landmarks, times
8 and speeds that are not always recorded in a ship's
9 log book when she is transitting a Pilotage District.

10 A. Quite correct sir but may I ask
11 the counsel a question?

12 Q. Yes?

13 A. If it is such a condition of weather,
14 or bad condition that he has to make all these changes
15 of speeds and course, as you say, wouldn't he be better
16 to have his nose on the bridge than back in the chartroom
17 writing up his small personal book?

18 Q. I don't know. I must admit when the
19 pilot makes his entries I don't know whether he has
20 to go in the chartroom or can do it on the bridge. I
21 would imagine in daytime certainly he can do it on the
22 bridge. Pilot, the records of the Pilotage Office which
23 have been filed here, and I refer to Exhibit No. ---

24 THE CHAIRMAN: This book here may be quite
25 useful only for practical information, telephone numbers,
26 and so on that you have there?

27 THE WITNESS: Yes sir.

28 THE CHAIRMAN: Very useful for the pilot?

29 THE WITNESS: That is right sir. As I
30 say it could be a great help, agents, everything. This as



1 English

2 an information book is perfect on that score for the
3 pilot.

4 MR. LALONDE: I am informed, my lord, that
5 it was prepared by a pilot, and the first reason at the
6 time was for income tax purposes.

7 Q. Exhibit 645 shows that during the
8 year 1962 you have made 104 voyages or trips. Can you
9 tell me, in spite of the fact you do not keep this
10 little log, how many of these trips were winter trips,
11 that is between December 1st and April 8th?

12 A. Well your lordship while I don't keep a
13 personal record book, as mentioned I do keep a record
14 of all my trips, and so forth, during the year. From
15 memory, of course, I do not have last year's book
16 with me, I would say that from December 1st to April
17 8th I mostly performed something like seven, six or
18 seven trips. /^Q From the 1st of December to the 8th of
19 April?

20 A. During the winter. What is known
21 as the winter navigation season I would say that offhand
22 seven or maybe eight, but I think seven would be quite
23 close.

24 Q. This mere calculation leaves you
25 97 trips in the period from April 8th to December 1st?

26 A. Approximately sir.

27 Q. That is correct? A period, you will
28 agree, of 34 weeks?

29 A. Yes sir.

30 Q. And again just making a rough calcul-



1 English

2 ation, that gives you an average of a little less than
3 three trips a week?

4 A. I believe sir. If you like, I will
5 make the calculation, but I will take this for granted
6 sir.

7 Q. Now what was the average duration
8 of your trips last year?

9 A. Well, of course, as I have explained
10 this previously ---

11 Q. Let us take, for instance Quebec
12 to Les Escoumains or Les Escoumains to Quebec leaving
13 out the Saguenay for the moment.

14 A. I would say that a fair average
15 throughout the season would be between eleven hours,
16 I think would be a fair average.

17 Q. Into the Saguenay River from either
18 Escoumains or Quebec?

19 A. I would say Escoumains to the Saguenay,
20 a fair average would be six hours; Escoumains to Port
21 Alfred let us say add one hour if you are going to
22 Chicoutimi and let us say Quebec to Port Alfred a fair
23 average would be 15 hours possibly, maybe an hour more
24 if you are going to Chicoutimi. These, of course, are
25 just offhand. There again I would think a good, fair
26 average.

27 Q. On this number of 97 trips during the
28 summer season, how many of these would be into the
29 Saguenay as compared to Les Escoumains and Quebec?

30 A. It is very hard to say. This would



1 English

2 vary even greater from year to year. As you know, we
3 are on tour de role. One season might be doing several
4 Saguenay trips and the next season less. It is very hard
5 to say. Last year I might have had as many as fifteen
6 to the Saguenay, or 20. I wouldn't think it would be
7 more than that, in any case.

8 Q. You would agree then that on the
9 average that is a considerably greater number of trips
10 between Quebec and Les Escoumains, and vice versa, than
11 between either Quebec or Les Escoumains into the
12 Saguenay?

13 A. Oh definitely.

14 Q. Bulk of the traffic is up and down?

15 A. Definitely sir.

16 Q. You were Vice-President of the
17 Corporation of the Lower St. Lawrence River Pilots in
18 1962?

19 A. I was.

20 Q. And you are still this year?

21 A. That is correct.

22 Q. I suppose as Vice-President you take
23 quite an active interest in the affairs of the Corpor-
24 ation?

25 A. I do sir.

26 Q. You attend all their meetings and
27 discussions?

28 A. I do sir.

29 Q. In 1962, I take it, that in spite
30 of your occupation with the Corporation you performed the



1 English

2 average number of trips that other pilots in your
3 District did?

4 A. Well I was granted, as usual, during
5 the summer season the half trip, or half turn I should
6 say per day because of occupation with the affairs of
7 the Corporation, and no more so I believe that the total
8 for last year, in my case, was -- the average was a
9 hundred and eight and a half, and if I make one hundred
10 and four, that means I was given, more or less, four
11 trips for whatever work I had performed throughout the
12 year for the Corporation.

13 Q. I wish to stress to you the fact that
14 in referring to Exhibit No. 645 I was referring to the
15 records of the number of voyages, actual voyages perform-
16 ed by the pilots without taking into account turns
17 allowed by the Corporation.

18 A. Well then I should think there is
19 -- I see what you mean, because we get this list as
20 turns, and not as trips and of course, you know that
21 Quebec-Port Alfred, Quebec-Chicoutimi makes that one
22 and a half turns. This is where the discrepancy is
23 because last year I finished this list, according to the
24 D.O.T. with a hundred and nine and a half so if you say
25 I made only one hundred and four; would be the average of
26 trips as such, they would only count then -- there are
27 so many ways that these things are being figured, they
28 are hard really to know what we are all talking about.

29 Q. We are now dealing pilot with the
30 records of the Superintendent here who allows a voyage



1 English

2 or trip only when the trip is actually made. My question
3 was this: From these records it appears you have done,
4 in 1962, the average number of trips because those who
5 I would call the average, did something between 102 and
6 109 as a maximum.

7 Q. Well then this 104 is what I made
8 and this discrepancy, 109-1/2, which I recall, might be
9 the ones I was given half trips there. There isn't
10 very many, anyway.

11 Q. Actually pilot when you refer to
12 109-1/2, I take it you refer to the number of turns
13 which you were allowed in the balance sheet of the
14 Corporation of Pilots of the Lower St. Lawrence, Exhibit
15 No. 597 under No. 34 where I see that you are allowed
16 one hundred and nine and a half pilotages. You may
17 check ---

18 A. This is correct. That is what I
19 recollect.

20 Q. This is what you recollect?

21 A. Yes sir.

22 Q. I am advised by counsel for the
23 Corporation that you were allowed six turns in 1962
24 by the Corporation for attendance at the meetings.

25 MR. LALONDE: Not by the counsel for the
26 Corporation. By Exhibit 654.

27 Q. By Exhibit 654.

28 MR. LALONDE: Produced by the Department.

29 Q. This may be a little matter, but it
30 is somewhat confusing to me and perhaps you could explain.



1 English

2 You have made one hundred and four trips, according to
3 the statistics of the Department, or the Superintendent
4 here, Exhibit 645. You are given six turns under
5 Exhibit 654 and you are shown as having had one hundred
6 and nine and a half turns on the balance sheet of the
7 Corporation. Well if I add one hundred and four, plus
8 six, it gives me one hundred and ten. I am just curious
9 to know where the one hundred and nine and a half comes
10 from?

11 A. Well I can say sir I don't count
12 these things. I don't make the statistics. I don't
13 even do the granting. I truly have nothing to do --
14 wherever these figures come from, I couldn't tell you.

15 Q. You couldn't tell where the discrep-
16 ancy of one and a half turns comes from. There is no
17 fine or penalties imposed by the Corporation on pilots
18 taking from them one turn or half a turn, that you know
19 of?

20 A. No sir.

21 Q. You cannot give me an explanation for
22 this difference?
23
24
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30



/RPS 1 English

2 Q. I would like to go back to winter
3 navigation, pilot, when you told us that during the
4 period of December 1st to April 8th there were two
5 pilots on board a ship, is it not a fact that in some
6 cases even through that period in your District only
7 one pilot goes aboard? Are you aware of this?

8 A. In the few last seasons I would
9 be very surprised to hear that this was the case. If
10 it was and it didn't and it was in several years past,
11 it has happened, and the explanation is quite simple,
12 in some cases it has happened when there are not a
13 sufficient number of pilots to accommodate all the
14 ships expected in a given time, and then, of course,
15 if the weather is suitable, I mean we just have to
16 send one because there isn't two available. We have
17 at least one pilot on board each ship than having two
18 pilots on all the first ones and delay the vessels,
19 all the other vessels. You must understand this is
20 at the end of the season, usually, when traffic is
21 very heavy and all going nearly one way. All the ships
22 are in a hurry to get over the St. Lawrence before
23 the underwriters raise their premiums and such
24 things, or make good time across or get home for
25 Christmas. We try to give as good service as possible
26 under the circumstances.

27 Q. Do you know what is the date the
28 underwriters raise their premiums?

29 A. I don't. I think it would be some-
30 where around this.



1 English

2 Q. I might tell you it is the 20th of
3 November. When you have the winter trip performed
4 by only one pilot is the one pilot receiving two pilotage
5 dues or just one?

6 A. I couldn't answer, sir. This is done,
7 of course, by the D.O.T. people. This billing is
8 completely out of our hands and I have no knowledge
9 of that, I couldn't tell you.

10 Q. Now, listening to your evidence on
11 Friday on winter navigations and the dangers connected
12 with it I had the impression, and you correct me if
13 I am wrong, that you were rather intending to discourage
14 winter navigation in your District, and if I am wrong
15 I would like you to dispell this notion on my part?
16 Are you or are you not intending to discourage winter
17 navigation in the Pilotage District of Quebec?

18 A. Your impression is certainly wrong,
19 sir. On the contrary I am very much in favour of
20 winter navigation in the District and that goes all
21 the way through the St. Lawrence.

22 Q. In other words you believe that it
23 could with the required precautions be safely accomplished?

24 A. Of course, very much so.

25 Q. You didn't intend at any time to
26 give indication to discourage this navigation?

27 A. No, sir. If I did, my lord, it is
28 my own words tricked me.

29 MR. LANGLOIS: My lord, at this stage,
30 since I was the one to ask the question about the dangers



1 English

2 and hazards of winter navigation, the only thing I had
3 in mind was to prove that the St. Lawrence would be
4 safe in winter when the ships are in capable hands.

5 MR. BRISSET: Q. I would like to quote to
6 you pilot, an extract by the Department of Transport
7 with respect to the 1961, 1962 winter navigation. I
8 will ask you a question after I have quoted this to
9 you.

10 "Not withstanding . . ."

11 MR. LALONDE: Could my friend identify
12 a little bit further. Is it a press release or what,
13 release by the Department of Transport?

14 MR. BRISSET: Q. I will quote and then I
15 will describe it:

16 "Not withstanding the fact that for
17 "the second consecutive year the winter
18 "proved to be of utmost severity, navigation
19 "through the Gulf bound for or outbound
20 "from Sydney, Corner Brook, Dalhousie,
21 "Seven Islands, Port Cartier, Baie Comeau
22 "and the upper ports proceeded without
23 "interruption.

24 "The handling through Cabot Strait
25 "of some 2,400,000 tons of cargo established
26 "a new record, which exceeds by 60 per cent
27 "the 1,500,000 tons handling during the
28 "previous winter.

29 "Altogether 216 deep-sea vessels called
30 "the Ice Information Centre at Sydney for



1 English

2 "escort or routing. Icebreakers were
3 "called upon to escort and complied 271
4 "times. Aerial ice support consisted
5 "of 94 flights; 37 from Seven Islands, 40
6 "from Sydney and 17 from Gander. In addition,
7 "many helicopter observation flights
8 "were carried out from the decks of
9 "icebreakers".

10 Now, pilot, keeping what I have just said --

11 My lord, the quotation I have read comes
12 from a booklet issued each year, a record issued by the
13 Shipping Federation of Canada and I was quoting from the
14 1960 Annual Report. The information in turn was obtained
15 from the Lower St. Lawrence and Gulf Development
16 Association, which, in turn, we are advised obtained
17 it from the Department of Transport. We have to get it
18 in its original form. I think we could address ourselves
19 to the Department of Transport which will be able to
20 supply the original if we need it.

21 THE CHAIRMAN: We will keep that in mind
22 because you have an opportunity of checking it.

23 MR. BRISSET: Q. From your personal
24 experience and from the experience of other pilots in
25 your District during this particular season in navigation,
26 1961, 1962, do you agree that the navigation was
27 handled without interruption in the winter season,
28 or successfully?

29 A. I would say it was successful. I
30 mean from the pilots' point of view of all the vessels



1 English

2 engaged in it. Without interruption, I suppose it must
3 be considered that they didn't expect to make such good
4 passages as in the summertime. Of course, ice may have
5 delayed ships a few hours in their passage, but I would
6 say generally it was a, from the pilots' and navigators'
7 point of view alone it was quite a success.

8 Q. Now, pilot, did you have occasion to
9 pilot some of these vessels like the HELGA DAN
10 or ships of this line that came here to Quebec during
11 the winter season?

12 A. I did, sir. The ships I piloted
13 last winter season were the LAURENTIAN and I did pilot
14 the HELGA DAN herself and one other one, but not last
15 year, but I did meet other ships.

16 Q. Would you agree that these ships
17 that keep regular services during the winter are fitted
18 with the most modern equipment and all the possible
19 aids to navigation that could be put on board a ship
20 for this particular type of operation?

21 A. Well, I don't know if they are fitted
22 with all, and the very best and modern, I would say they
23 are very well found, and very well fitted and in all
24 cases very appropriate for this type of navigation.

25 Q. Including electronic aids to
26 navigation?

27 A. Including all these aids to navigation.

28 MR. LANGLOIS: In this respect, and I
29 don't know if my learned friend wants to go this far
30 I have a report published by the Laurentian Lines Companies



1 English

2 of the specifications of their ships, and I would be
3 quite prepared to file it if my learned friend is
4 interested and you get a review of the equipment that
5 was just referred to.

6 MR. BRISSET: Q. It might be useful.

7 My purpose in all these questions is to dispel any
8 possible notion that might have been created, I am
9 sure, without intention on the part of Captain Dussault
10 that winter navigation should be discouraged as being
11 a highly dangerous operation. That is the purpose I
12 am saying this. Now, pilot, have you not found as a
13 fact that all these vessels like the HELGO DAN and
14 others of the Laurentian line coming here you will have
15 as you are transitting pilotage waters, what we call
16 a double watch when conditions are bad? Have you had
17 that experience?

18 A. It is possible. I can't recall,
19 but I can recall that the ships are extremely well
20 fitted for this trade. At all times I was there I
21 had the full co-operation and nothing less to be
22 desired in any way whatsoever as far as safety or
23 handling or co-operation from the master and his
24 officers.

25 THE CHAIRMAN: Have you many more questions?

26 MR. BRISSET: I am practically through,
27 maybe two or three minutes.

28 Captain, you were asked about security
29 watches on board ships here in the Harbour of Québec.
30 I would like to draw your attention to Regulation No. 13



English

of the By-Laws of this District which read as follows:

"A pilot having conduct of a vessel
"shall, unless he is discharged by the
"Master, owner or agent remain on board
"until the services for which he was
"engaged has been performed, and the
"vessel is in a safe position or until
"he has been relieved by another pilot".

Keeping this Regulation in mind would you
not agree, pilot, that if, for instance, you bring a
vessel into Quebec and have to go to anchor and the
vessel has been damaged, for instance, or the weather
conditions are very bad, it should be the duty of the
pilot to remain on board unless he is discharged by
the master.

A. I would heartily agree, sir. I
think it is the only thing that any good seaman, good
officer, good pilot would do. As a matter of fact
it was my personal experience in 1962 on one of the
Cairn Line vessels. I was nearly two days aboard the
vessel for that reason.

Q. You wouldn't call that a security
watch?

A. The wind was very strong and the
ship wouldn't keep her anchor in its position. We
tried various anchorages in the vicinity of Quebec
Harbour and finally due to very severe northeasterly
storms we went down past Cape Goose and weathered the
night, however too, and came back the next morning.



1 English

2 Q. That is part and parcel of the function
3 of a pilot?

4 A. That is correct.

5 Q. Not to leave his vessel until she
6 is in safety?

7 A. I would say so, sir.

8 Q. Of course, during the time elapsing
9 you would be receiving detention money, I take it?

10 A. That is correct.

11 Q. Not too much?

12 A. This is also correct.

13 Q. In other words you are always taking
14 that chance of not being able to get off?

15 A. That is correct, sir.

16 Q. One more question: You were speaking
17 of tugs being used to take you on board a ship for
18 purposes of relieving a pilot here in the Harbour of
19 Quebec. It happened only last Thursday. Who orders
20 the tug in such circumstances? Is it the pilot?

21 A. I don't think so. It might have
22 been, but I believe in most -- in a few cases this
23 happens. It is rare and happens maybe once or twice
24 at the very most during each season, if we discount
25 the winter season because we use tugs in the ice. During
26 the normal season this could happen not at all maybe
27 some seasons and maybe once or twice at the most during
28 the ordinary season, and I believe either they are called
29 by the people who have the contract with the various
30 ship firms to embark and disembark a pilot. I believe



1 English

2 the boatmen, the two have the contracts amongst them-
3 selves, Mr. Jeffrey or Mr. Visner to attend to this
4 themselves. I don't believe the pilots themselves are
5 involved.

6 Q. In other words if the services of
7 tugs are being used they are paid for by the shipowners,
8 that is correct?

9 A. I don't know. I don't do it. That's
10 for sure.

11 THE CHAIRMAN: We will adjourn for a few
12 minutes.

13
14 ---A SHORT RECESS.

15
16 ---FOLLOWING THE SHORT RECESS:

17
18 MR. BRISSET: In the rush to finish my
19 cross-examination before the adjournment I noticed I
20 left out a number of questions in one area. I would like
21 your permission to ask them.

22 THE CHAIRMAN: Once again nobody has to rush.
23 It was only the timing of the recess, that is all.

24
25 CONTINUATION OF CROSS-EXAMINATION BY MR. BRISSET:

26
27 Q. Captain Dussault, you have told us
28 about the south channel during the course of your
29 examination, and I take it that there are three places
30 where there exists a south channel in your District.



1 English

2 I would like to go over this briefly. First of all you
3 have the south channel south of Crane Island starting
4 from the lower end of Orleans Islands.

5 A. To be a little more specific you could
6 say that this south channel starts at the west end of
7 Madame Island Reef buoy 86, continues as far down as
8 the eastern end of St. Roch traverse at buoy 56B.

9 Q. Now, Mr. Dussault, you have told us
10 that in 1962 you made 104 voyages. Did you have occasion
11 during these 104 voyages to use this particular south
12 channel?

13 A. I did, sir. I couldn't recall exactly
14 how many trips, but I would say offhand a dozen times.

15 Q. With what kind of ships?

16 A. Various types of vessels. Of course,
17 as I mentioned before in my technical explanation
18 draught is a big factor there, of course, time of the
19 tide you will reach these various places where there is
20 very little water left. I recall plainly having taken
21 a large laker in ballast to there. I recall a few
22 smaller ships, ships let us say of a thousand ton gross,
23 something like that. I believe one or two colliers
24 of the low type power vessel.

25 Q. Captain Dussault, I recall that you
26 mentioned during the course of your examination that the
27 south channel between the points you have described
28 wasn't maintained by the Department concerned, the
29 Ship Channel Branch. Would you not think in these
30 circumstances is it not to be recommended that this channel



1 English

2 be used since it is not being maintained as the north
3 channel is?

4 A. Well, I did -- I recall plainly in
5 my testimony just mentioning that I said maintaining --
6 depth and dredging. Then too I was referring to certain
7 circumstances, and I believe local knowledge, the only
8 thing to worry about is depth of water and we have
9 ascertained this through our own means, taking soundings
10 from larger ships, and as I said the controlling point
11 for not using the channel will be Beaujeu cut buoy.
12 If you were going to make it there you will make it
13 as far as draught through the other dangerous parts and
14 we know our own personal means of soundings if there
15 is on low water sixteen, seventeen feet of water keeping
16 a little bit up our sleeve. It could be very well
17 used if you have the knowledge. I see no reason for
18 not using it.

19 Q. Am I right in saying the passage
20 through the southern channel would be longer than through
21 the northern channel?

22 A. No, it wouldn't be any longer. The
23 distance is very much the same. There is a mile differ-
24 ence by using one or the other, and there are currents
25 there, I would say relatively -- in general the whole
26 of it, the average would work out very much the same
27 as the north side. I don't see any loss in time as
28 such by using one channel. I mentioned various occasions
29 with tows, and there are advantages in safety by using
30 the south side.



1 English

2 Q. However, from a purely commercial
3 navigation point of view, your ocean going vessel coming
4 up or down the river, is it not a practice unless there
5 are special circumstances to use the north channel
6 rather than the south?

7 A. This is the accepted practice and the
8 large majority of vessels use the north channel, sir.
9 It is considered the main channel as far as the
10 Authority is concerned.

11 Q. Come to the second stretch where there
12 exists the south channel, that is south of Hare Island.
13 Again have you had occasion to use this south channel
14 during the 1962 season?

15 A. I had on several occasions, sir.
16 Sometimes when I am using the south channel I might
17 use the south channel all the way down or I might only
18 use parts, come to buoy 58 and revert back to the north
19 channel, or keep going south all the way south of
20 Red Island.

21 Q. Is there any particular reason why
22 you would, in certain cases, use the south channel
23 rather than the north channel, either coming up or
24 down?

25 A. Yes, sir, if you were piloting a
26 ship down, let us say from Quebec to Riviere du Loup,
27 as I mentioned before, we have the Irving Oil coastal
28 tankers -- it is mostly the IRVINWOOD calls fairly
29 regularly at Riviere du Loup, and we have had also in
30 the last few years some vessels employing pilots who



1 English

2 call at Riviere du Loup for pulpwood.

3 Q. If you have a ship simply transitting
4 the District going up to Montreal or going seaward
5 from Quebec, things being normal, there existing no
6 special conditions which one would you use normally?

7 A. In the large majority of cases you
8 would use the north channel.

9 Q. Does the same apply to the third
10 stretch, that is south of Red Island, under normal
11 conditions things being equal and again with a ship
12 transitting the District simply, which of the two
13 channels, the north or the south would you use normally?

14 A. My former answer wouldn't apply here.
15 As I already spoke at some length about this in previous
16 testimony, the channel north, passing north of Red
17 Island will be used in coming up in the large majority
18 of cases. Some pilots will use, mostly at the masters'
19 demand the channel south of Red Island coming up but
20 downbound, going out to sea, several pilots will use--
21 the going south of Red Island -- the south channel.
22 There is absolutely no objection to this. As I mentioned
23 in dirty weather, poor visibility, thick fog we have
24 sort of a gentlemen's agreement that an upbound ship
25 is north of Red Island and downbound ship will pass
26 south of Red Island. That is what I do, in any case
27 in respect of dirty weather.

28 COMMISSIONER SMITH: You said that you
29 use it, I don't know whether it was the south channel,
30 at the demand of the Captain. Did I hear you correctly?



1 English

2 THE WITNESS: That is correct. This has even
3 been the case, I believe, 1962 where I operated a ship --
4 I can remember the name of the ship, the JOHN C.
5 McHELLER, the master insisted on my using the channel
6 south of Red Island upbound. He is the master. I
D3 7 certainly had no objections to it in this case.

8 COMMISSIONER SMITH: That doesn't happen
9 very often?

10 THE WITNESS: Very seldom, but it does
11 happen.

12 MR. BRISSET: Q. If you are on a downbound
13 ship and have followed the north channel all the way
14 down to Red Island you would still in certain cases
15 proceed south of Red Island, changing course accordingly?

16 A. I didn't . . .

17 Q. If you have been following the north
18 channel all the way down?

19 A. Yes, sir.

20 Q. You would at times proceed, notwith-
21 standing, south of Red Ile?

22 A. That is correct, sir.

23 Q. If conditions are such that you
24 it safer to use the south channel?

25 A. Yes, sir. I might add here many
26 pilots would do this from the end of the ebb tide while
27 the flood would be north of Red Island, and there is
28 a discrepancy there in the time that the currents are
29 changing and you might gain a little time by using it
30 at certain times in the tide, by going south of Red Island



1 English

2 and that is why mostly some pilots would use it for some
3 time.

4 Q. To gain these currents, then.

5 A. Yes, sir.

6 MR. LANGLOIS: My lord, I have here a copy
7 of chart 1207 which I have obtained from the offices
8 of the Departmental Solicitor in the case of the formal
9 investigation in the circumstances between the collision
10 between the ROONAH HEAD and the TRITONICA on which the
11 position has been placed of the wreck of the TRITONICA,
12 and also her heading. The information based on Exhibit
13 440 by Captain Dussault gives the position, but not the
14 heading of the ship. This is in addition to the other
15 information. If your Lordship agrees I am prepared to
16 have this photographed in my office and file a photocopy
17 in the records of the Commission since I will have
18 necessarily to return this to the Departmental
19 Solicitor as part of the record of the formal Inquiry.
20 I am ready to file a photostat copy.

21 THE CHAIRMAN: This information that is
22 over-printed on the chart, this is new?

23 MR. LANGLOIS: This is new.

24 THE CHAIRMAN: This over-printing on the
25 chart is by the Department of Transport?

26 MR. LANGLOIS: By the Department of Trans-
27 port.

28 THE CHAIRMAN: If everybody agrees to it
29 that this is the situation, this information coming from
30 the Department of Transport, a photocopy will be accept-



1 English

2 able.

3 MR. LANGLOIS: I have here a blown-up
4 section of the same chart if the Commission wants it.

5 It could be obtained from the Department. It is
6 quite voluminous. It is a blown-up of the same chart,
7 about 12 feet long.

8 THE CHAIRMAN: You have told us about that
9 and if we need it we can get it because we know there
10 is a blown-up chart.

11 MR. JACQUES: Speaking about the wreck of
12 the TRITONICA since it might be expensive to have the
13 whole record copied for the purposes of the Commission
14 it might be better if we just refer to the original
15 records of the Department of Transport in Ottawa and
16 save that expense.

17 THE CHAIRMAN: Right.

18 MR. LANGLOIS: Are you going to give a
19 number to this photocopy?

20 THE SECRETARY: I would suggest the next
21 number is 669.

22 MR. JACQUES: It is chart 1207.

23
24 ---EXHIBIT NO. 669: Photocopy of chart 1207
25 with the position of the
26 wreck of the TRITONICA and
her heading.

27 CROSS-EXAMINATION BY MR. JACQUES:

28
29 (THROUGH THE INTERPRETER.)

30 Q. Mr. Dussault, when you previously



1 French

2 testified in Chicoutimi I think you told the Commission
3 that you had been master of a ship before becoming an
4 apprentice pilot or a pilot, and that you had taken some
5 pilots going upstream on the river and sometimes you
6 didn't have pilots?

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RPS 1 French

2 So in order to understand your evidence
3 properly, could you please tell us the tonnage of the
4 ships on which you were master and which came upstream
5 on the River?

6 A. Would you like to have the accurate
7 tonnage or approximate one?

8 Q. Approximate tonnage.

9 A. Well approximately for the ships,
10 the approximate tonnage or gross tonnage would be about
11 two thousand five hundred and sixteen to seventeen
12 hundred net tons. This would be the case for the
13 FEDERAL EXPLORER and COASTAL CREEK and the case of the
14 TRANS RIVER I would say that the gross tonnage would
15 be about one thousand eight hundred tons and net tons
16 twelve hundred. But in the case of another ship, it
17 was far less.

18 Q. Now the ships on which you were
19 master and which came upstream without pilot, which of
20 those were there amongst the ones that you enumerated?

21 A. In all the ships that I have enumer-
22 ated I did the pilotage in the river.

23 Q. Before becoming the master of these
24 ships, had you had any previous experience on the river?

25 A. Yes. At that time I was also an
26 apprentice pilot and I had already accomplished many
27 trips as an apprentice pilot.

28 Q. When you were master of the ship,
29 you were also an apprentice pilot and you did your own
30 pilotage?



1 French

2 A. Yes.

3 Q. And you obtained your experience on
4 the river during your first stages of apprenticeship?

5 A. Yes.

6 Q. The total length of your District
7 is about one hundred and thirty-three miles?

8 A. One hundred and twenty-three miles.

9 Q. How long is the river where it is
10 dredged?

11 A. Well usually the dredged part is the
12 north channel; nine miles which are dredged and in this
13 first length there is another part on the ranges of
14 Cap Brule which are dredged near buoy 110, so there you
15 have perhaps another half a mile and then another part
16 at buoy 109 on 100 which is dredged and then if
17 we include the southern part of the channel, starting
18 from Beaujeu.---

19 Q. In the north channel how many miles
20 are dredged?

21 A. Well there is a total of about 10
22 miles out of 123.

23 Q. Now on the south channel how many
24 miles are dredged out of the 123?

25 A. Well not a great deal.

26 Q. Well theoretically speaking how many
27 miles should be dredged?

28 A. Well altogether, if we include the
29 dredging which should be done at Empress Shoal and
30 another patch, the total should be a couple of miles.



1 French

2
3 THE CHAIRMAN: Well dredged to what depth?

4 THE WITNESS: 30 feet.

5 THE CHAIRMAN: At low tide was not more than
6 that? Is that all?

7 THE WITNESS: Yes, my lord.

8 Q. Do you consider that navigation in
9 dredged channels is more difficult than in natural
10 channels?

11 A. Well it requires far more attention
12 because you must calculate the draught of the ship in
13 order to be sure that you have the necessary depth in
14 navigating your ship and naturally it requires far more
15 calculation in advance and even if you pass very little
16 water under the keel of the ship, in order not to delay
17 the ship, well the ship will be more difficult to
18 manoeuvre.

19 Q. Do you think that the crossings are
20 more difficult?

21 A. They are far more dangerous because
22 you have a certain percentage of loss of mastery of your
23 ship.

24 Q. A certain percentage of loss of your
25 ship which would be caused by what?

26 A. Because of shallow water; lack of
27 sufficient water and you would add to this the following:
28 Well to a certain extent it will depend upon the width
29 of the channel and the way in which the channel has been
30 sort of dug.



1 French

2 Q. Mr. Dussault I am showing you Exhibit
3 510 which is entitled "tidal currents chart St. Lawrence
4 Estuary, Orleans to Father Point, edition 1939." Could
5 you please look at it and indicate therein the currents
6 that you have mentioned, let us say, in the first place
7 at Red Island?

8 A. Well I would like to draw the
9 attention here to the fact that I do not understand the
10 question very well because this Atlas is prepared in such
11 a way to give different hours for the tides, so you would
12 have to indicate to me a given time and a given tide.

13 Q. You said in the vicinity of Red Island,
14 let us say westward from Red Island you had some currents
15 which were going obliquely across the river. Could you
16 please turn to the chart where Red Island is indicated.
17 Exhibit 435, chart 1204 you have indicated with a red
18 arrow at the south of Red Island a current which goes
19 across the river diagonally?

20 A. If I remember my testimony well
21 my arrow indicated general currents when the tides and
22 the currents were well established in that direction and
23 I also add that the direction of these currents changed
24 from one hour to the next. That is true direction and
25 changed enough so as to make us lose complete turn of the
26 circle.

27 Q. Could you please indicate on Exhibit
28 510 the currents therein south from Red Island?

29 A. As I mentioned previously, we have
30 it for different hours so the navigator who wants to use



1 French

2 this Atlas then must refer to a certain point which in
3 this particular case is the Father Point and the hour
4 of the tide, different hours or the personal hour, or
5 the hour in which he is interested and with this differ-
6 ent date he can find the hour here and the average current
7 that the navigator may meet at a given time.

8 Q. Now could you please look at the
9 currents indicated in this table at Red Island at the
10 different times of tide and tell me if, according to
11 your experience, you have noted that the explanations
12 given in that timetable are accurate?

13 A. Well I would say that generally
14 speaking this Atlas -- it is accurate enough but as I
15 have mentioned it previously, my lord, this timetable
16 results from deep studies and you must have the given
17 hour and the given tide, and as I mentioned before even
18 at a given time, at a given place as mentioned in that
19 timetable, violent winds and especially continuous winds,
20 for example, northeastern winds in the course of two
21 or three days may bring about numerous changes at the
22 given places and at a given hour.

23 Q. So this fact is well-known by the
24 seamen that wind may modify at times the height of the
25 tide and the strength of a current?

26 A. Yes.

27 Q. Now you yourself, when you became
28 an apprentice, did you use the different publications
29 from the D.O.T., for example Exhibit 510, in order to
30 study currents?



1 French

2 A. Yes, as much as possible. Even today
3 I still refer to them as a refresher.

4 Q. Now in the course of your work or your
5 duties as a pilot, do you refer to the tide tables which
6 are published by the Department?

7 A. Yes, constantly.

8 Q. According to your experience do you
9 think that the information given was not as accurate?

10 A. Well generally speaking the tide
11 table published by the D.O.T. for the St. Lawrence River
12 and the different harbours in the District are extremely
13 accurate. For example, the temperature, and so forth.

14 Q. Now we will get back to Les Escoumains
15 upon the boarding of the pilot. There was mentioned,
16 in the course of Captain Allard's evidence, that the
17 accommodation ladder should be used for the boarding
18 of pilots. Do you remember that?

19 (THE INTERPRETER: I am sorry. I wish the
20 witness would speak into the microphone.)

21 Q. Do you remember that certain
22 instructions were given by the D.O.T. in that respect?

23 A. This is true in the Notice to Mariners.
24 Such a notice would have been given in the past seasons
25 for in-ballast ships only to have the accommodation
26 ladder in position as well as the rope ladder.

27 Q. And practically speaking do you
28 consider that these regulations have been followed?

29 A. Well I would say that especially in
30 the course of the past year most ships have been follow-



1 French

2 ing those regulations.

3 Q. I would like to show you a document
4 entitled "Notice to Mariners No. 140, edition 1960."

5 Is this the Notice to Mariners that you referred to a
6 few moments ago?

7 A. Yes.

8 Q. And on the other side of that there
9 is a sketch which indicates how the accommodation ladder
10 and the rope ladder should be installed?

11 A. Yes.

12 Q. From practical experience, do the
13 ships really install their ladders that way, the ballast
14 ships?

15 A. Well generally speaking those who
16 do this installation do it quite properly.

17 Q. I would like to file this Notice to
18 Mariners No. 140 as Exhibit 670.

19
20 ---EXHIBIT NO. 670:

Notice to Mariners No. 140,
in the year 1960.

21
22
23 Q. If the accommodation ladder or the
24 rope ladder are not well installed, does it ever happen
25 that the pilot may refuse to go on board?

26 A. It never arises insofar as I am
27 concerned. I can tell you it happened in certain cases.

28 Q. Do you think it would be reasonable,
29 if the ladders are not well installed, to refuse to
30 go on board the ship?



French

A. Yes.

Q. In most cases, within what radius of the berth of Escoumains do you go on board the ship?

A. Well it is difficult to answer that question. Well certain ships, who are very careful usually at four miles from the berth at Escoumains. Others are very near. I won't say the majority, but on an average they are one mile to one and a half miles from the berths.

Q. When a ship, let us say, has a failure about four miles from Escoumains, do you communicate by radio-telephone?

A. The pilot will contact a ship directly, through the clerk in the office can contact, inform the pilot himself. Usually we go off with the launch. We travel those four miles ourselves.

Q. Now the team of pilots, especially at Les Escoumains, are the pilots satisfied with such teams?

A. Well I would say that generally speaking we are satisfied with the personnel.

Q. Are you satisfied with the competence of these launchmen?

A. Yes.

Q. When you leave Les Escoumains, in order to go upstream, you have indicated the course that you follow along the coast, the north coast in order to reach the entrance to the Saguenay River. Are there any special difficulties for navigation in that particular



1 French

2 place, aside from those that the navigator may meet
3 normally while navigating along the coast?

4 A. Well aside from the current, which
5 I mentioned, upon the approach to the mouth of the
6 Saguenay ---

7 (THE INTERPRETER: I cannot hear.)

8 (THE FRENCH REPORTER: The response was:
9 Aside from the currents which I mentioned at the mouth
10 of the Saguenay there is nothing very important in that
11 area.)

12 Q. As a whole can we say that your
13 knowledge of the local area is useful only at the
14 entrance to the Saguenay for access to the entrance to
15 the Saguenay?

16 A. We should state the following: At
17 the approach to the mouth of the Saguenay.

18 Q. You also mentioned that you were
19 checking your position upon leaving Escoumains. For
20 example, different landmarks. How do you proceed to do
21 such checking?

22 A. I don't understand your question.

23 Q. You were stating that you were check-
24 ing your departure point. Well how do you do this
25 checking? Using what?

26 A. For example survey of certain land-
27 marks, certain harbours, and so forth.

28 Q. Do you use radar in order to do this
29 survey?

30 A. Well if the radar is operating, I



1 French

2 can use in particular the radar in order to do that.

3 Q. You use a compass as well? You do
4 some survey with the compass?

5 A. Yes. It is not with the eye -- well
6 with the eye a pilot who has enough knowledge, enough
7 experience of the area may be able to do the checking
8 without having recourse to the radar.

9 Q. You mentioned that there is a gentle-
10 man's agreement, whenever the visibility is bad, so that
11 the ship going upstream ~~will~~ pass north from Red
12 Island, and the others go south to Red Island. Is that
13 true?

14 A. Yes, in most cases.

15 Q. Do you think that the navigation at
16 that particular place would be surer and less hazardous
17 if it was a compulsory regulation which would be enforced
18 at all times?

19 A. Well there would be less ships
20 crossing at a closer range and it is quite sure there
21 would be a lesser number of ships who would cross one
22 another at closer range but wherever there is a good
23 visibility, with the pilot on board, a man who knows
24 his business will have no trouble at all crossing another
25 ship.

26 Q. What is the width available at the
27 north of the Red Island?

28 A. It is two miles.

29 Q. And you think that this is ample
30 space for two ships to cross without any trouble?



1 French

2 A. Yes. In clear weather, yes.

3 Q. Now insofar as the light ship fromp
4 Red Island, is it equipped with radio apparatus and D.F.,
5 radio beacon?

6 A. No sir.

7 Q. You did not have any of that equipment
8 at that time?

9 A. No. I think that these installations
10 exist on ships. At Red Island there is a D.F., that is
11 a direction finder.

12 Q. Could you please indicate on this
13 chart with a red pencil, and using the letter P the
14 exact spot where the new pier light will be built by
15 the Department?

16 (Witness indicates.)

17 A. You have a little red circle and then the
18 letter P and it will be approximately at the tip of the
19 bank of Prince Shoal that this pier light will be built
20 in a depth of 24 feet of water at low tide.

21 Q. As soon as this tower will be in
22 operation, will you still consider that it will be
23 necessary to have a light ship again?

24 A. In case there would be some confusion
25 further, in a different location -- in one point there
26 was a light ship on Red Island. When we mention a light
27 ship, it is the light ship of the Prince Shoal, it's the
28 one which is being replaced by the buoy and going to get
29 quite mixed up if we give all the names.

30 Q. Are you talking about what light ship?



1 French

2 Prince Shoal or that of Red Island?

3 A. The light ship of Red Island.

4 Q. Could you please circle the buoy which
5 has replaced the light ship of Red Island? Could you
6 please write in the letter R? So the light ship at Red
7 Island would be at that particular location?

8 A. Yes.

9 Q. Do you consider that when the light
10 ship of Prince Shoal will be in operation that the light
11 ship at Red Island will not then be necessary?

12 A. It is not necessary. It does not
13 exist there at the present time. There hasn't been
14 any light ship at Red Island for the past two years.

15 Q. But then I think that you have asked
16 that the light ship at White Island or Prince Shoal,
17 which has been taken away, be reinstalled at Red Island?

18 A. That is true.

19 Q. Why do you want this light ship to
20 be installed?

21 A. Well when the lighthouse will be
22 at Prince Shoal, at the entrance of the Saguenay, well
23 we have asked the Department of Transport to use the
24 light ship which is at the present time at the Prince
25 Shoal and relocate it at Red Island where there was
26 a light ship up to the last few years and I think that
27 even with the tower in operation, I think that it would
28 be useful and would be an appreciable aid to navigation.

29 Q. You have stated that the light ship
30 of Red Island has been taken away in the past two or three



1 French
2 years?

3 A. Yes.

4 Q. Personally what type of difficulties
5 were raised because this light ship was removed?

6 A. Well perhaps it did not cause me
7 any personal difficulties, but personally I think having
8 another light ship at Red Island, especially in fog
9 conditions, perhaps I am wrong but it seems to me that
10 ever since the light ship has been taken away from the
11 Red Island it seems to me that some small ships not
12 using pilots could take that departure point at the
13 north and if that light ship was still in existence,
14 ~~then~~ all these ships will have nothing to indicate to
15 them of their approach to these reefs and consequently
16 if there is bad visibility, and there are currents, and
17 so forth, you have all these small ships who come to
18 meet at Prince Shoal.

19 Q. When you say this you indicate on
20 the chart the initial R?

21 A. And this makes all the little ships
22 to come to the light ship of Prince Shoal and consequent-
23 ly increases the traffic especially at the time where
24 the point of danger is absolutely at the most.

25 THE CHAIRMAN: That is, to pass at the north
26 of Red Island instead of passing at the south. When
27 they had a light ship, it indicated the location of the
28 reef?

29 THE WITNESS: The buoy is there at the
30 present time but the light ship, it aided them. That



1 French

2 foghorn has been removed and now they have only a buoy.
3 They could install a foghorn in order to help them out.

4 THE CHAIRMAN: And then to shape a course
5 on the north channel at that time?

6 THE WITNESS: Yes.

7 Q. According to what you have said the
8 reinstallation of the light ship at Red Island would
9 help to sort of change the circulation?

10 A. Well this would certainly be a help
11 to navigation and according to me this point which
12 causes ships to go to another place where they have a
13 landmark, and where they have a light ship, it indicates
14 where the reef is, and so forth, but if you had a light
15 ship installed it would help out on that side and also
16 for pilots who are going downstream, they will have a
17 light ship with a foghorn which represents an aid to
18 navigation. Perhaps a light ship is not indispensable,
19 but it is an improvement.

20 Q. Going downstream on the river wouldn't
21 it be better to have an installation at the western tip
22 of Red Island instead of the eastern tip?

23 A. Well at the western tip of all this
24 reef you have Red Island itself and at the extreme west
25 with the direction finder and the reef is at the eastern
26 side is not sufficient because you have got there at the
27 worst part of the Red Island when you go downstream.

28 Q. There are some who are going upstream?

29 A. Yes. They come on the south side,
30 coastal ships, they go as much in the south channel.



1 French

2 Q. Now I am asking you a question as a
3 pilot and not as a navigator, generally speaking in the
E3 4 river, talking from the viewpoint of pilots.

5 A. Well the nautical position of the
6 light ship is to indicate to where the shoals or the
7 reefs extend.

8 Q. Do you think that the ships leaving
9 Escoumains pass at the south of Red Island going upstream?

10 A. Very rarely.

11 Q. Well is there any reason, apart from
12 the gentleman's agreement?

13 A. There is no gentleman's agreement
14 for going upstream and the ship channel starts at the
15 northern part of Red Island and it's only on a few
16 occasions that the pilot may pass to the south going
17 upstream.

18 Q. What you have just said, does it apply
19 as well to the time at which the light ship at Red
20 Island was in position?

21 A. Well I would say that when the light
22 ship at Red Island was in position, and especially in
23 the course of the first years when the station at
24 Les Escoumains was in operation, perhaps many pilots
25 through either condition or habit passed at the south
26 of Red Island, through habit more than anything else
27 because when the station was at Father Point, usually
28 we went upstream at the south of Red Island and now the
29 pilots have to decide to pass by the north side of
30 Red Island.



1 French

2 Q. Once you have passed the entrance of
3 the Saguenay River, you have explained that you follow
4 a certain course along the bank. Now could you pass
5 to the next map please, which is 1201, Exhibit 439.
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/RPS 1 French

2 Q. Along this coast up to Goose Cape,
3 Cappaux-Oies, are there different difficulties from those
4 which are usually found in the navigation along Gaspé
5 Bay Cape?

6 A. No, except from beside the reef
7 of Banc d'Arguin around Murrumbidgee Bay, this part of the
8 channel is relatively clear and it is straight forward
9 navigation.

10 Q. What is your work in that part of
11 the channel?

12 A. Well, this is to keep the vessel on
13 the right side of the channel going upstream. If you
14 were going downstream left, an aid to navigation, safe
15 navigation.

16 Q. Is this work requiring constant
17 attention, constant as is the traverse of l'Île d'Orléans?

18 A. No, because you have a wider channel,
19 direct course, longer, and this, of course, does not
20 dispense with the obligation of a good seaman to keep
21 an eye on the traffic et cetera.

22 Q. Well, does it happen sometimes in
23 this place when the weather is good that you let the
24 quartermaster lead the ship?

25 A. If it is myself, I never do this.

26 Q. Well, in this particular area, do
27 you sometimes give the direction of the ship to an
28 apprentice pilot?

29 A. Well, this happened to me, but I
30 am always on the bridge.



1 French

2 Q. Well, sometimes do you leave the
3 navigation to the quartermaster?

4 A. Well, could possibly, if you are in
5 the wheelhouse or upper deck, if there is no immediate
6 danger, this may happen, of course, but I think that is
7 not usually done by pilots it is only an exception.

8 Q. Well, you have explained a few
9 minutes ago the reasons for which you thought the light
10 of ship/Red Island should be reinstalled. I think in the
11 correspondence which is Exhibit 666 you indicate in
12 support of this that vessels are very often anchored
13 in this place.

14 A. Well, it may be a vessel which is
15 not equipped with radar coming to Les Escoumains with
16 heavy fog or thick fog and poor visibility and he must
17 go to Port Alfred or Chicoutimi, well, the captain may
18 well ask us to moor the vessel or to anchor the vessel
19 and we do at a place which is at Ile Rouge.

20 Q. Could you circle with red pencil
21 and write a Q there?

22 A. There is another place, Rocky Patch,
23 it is by buoy 94, and the light ship of Prince Shoal.

24 Q. Would you indicate that place?

25 A. Yes, I did.

26 Q. Of these two places to anchor which
27 one is the safest in quality of the ground to maintain
28 your position?

29 A. Well, the two anchorage are very
30 good as regards to quality of the ground from my personal



1 French

2 experience, but in particular the Island of Red Island
3 Tail is preferable because you are out of traffic.
4 This way your vessel will be much safer, and particularly
5 if there are several vessels which must anchor you have
6 more room to manoeuvre. This is much better.

7 Q. Can you come back, please, to the
8 map, the following map, chart 1207, Exhibit 440.
9 You have said earlier that the light on Cap de la Baie
10 was harmful, and I think that the only reason is some
11 vessels which have no pilot might go around there and
12 be across the channel.

13 A. No, no, what we mean is that -- what
14 is indicated by this light, the three sectors, the vessel
15 which would be piloted by somebody that doesn't have
16 good knowledge of the currents, at that particular
17 place would almost certainly be drifting from one place
18 to another and therefore create a danger for navigation.

19 Q. Well, I think it has been established
20 that it is an experiment light. Do you think a test
21 should be made before this is installed permanently?

22 A. Yes, certainly.

23 Q. Have pilots been consulted before
24 installation of this?

25 A. No, not to my knowledge. We haven't
26 been approached before the installation of this light.

27 THE CHAIRMAN: Do you have any more questions?

28 MR. JACQUES: Yes my lord.

29 THE CHAIRMAN: We will adjourn until 2:30
30 this afternoon. Thank you, gentlemen.
---LUNCHEON ADJOURNMENT.



1 French

2 ---UPON RESUMING AT 2:30 P.M.

3
4 CONTINUATION OF CROSS-EXAMINATION BY MR. JACQUES:

5
6 Q. Would you please turn to the chart
7 called Longue Pointe on chart 1207, Exhibit 440. It
8 seems there is some silting over there, isn't that
9 the fact? It is a generally known fact of pilots
10 there is silting?

11 A. Certainly, for many years, because
12 oftentimes the Board of the Corporation drew attention
13 to the Local Authority upon silting, and a few years
14 ago there was some dredging undertaken at that place and
15 even, this was quite recently, ~~as a matter of fact~~, there
16 was dredging at the regulation depth of 30 feet.

17 Q. Did you yourself get used to doing
18 soundings in that particular place whenever you were
19 passing there?

20 A. I wouldn't say I am in the habit,
21 but I would certainly in certain cases to establish
22 silting was there. It happened that I personally have
23 some soundings when I was passing through, and took them
24 at low tide and in order to find out what depth of water
25 was at that particular depth.

26 Q. Do you send the results of your work
27 to your colleagues, pilots?

28 A. Perhaps not especially through a
29 document or letter, but we meet one another practically
30 every day and we say we have been to such and such a



1 French

2 place and we did some work with an echo sounder and so
3 forth.

4 Q. But there is not established system
5 through which these informations would be sent to pilots?

6 A. No, there is no official method, but
7 the pilot gives information to his colleagues. Usually
8 the Department gives us some proper soundings on request.

9 Q. On your request?

10 A. Whenever we ask for soundings of a
11 particular place we are told they were given a depth.

12 Q. Now, if the figures you obtain
13 concerning the depth of water are not in agreement with
14 those shown on the chart is that then communicated by
15 you to the Department, do you submit a report to the
16 Department about that?

17 A. Well, usually the ships that we
18 pilot are now equipped, usually, to take actual soundings
19 at a given place. It is difficult for us to contradict
20 the data of engineers, professional people or people
21 who are entrusted to the Ship Channel because they have
22 all the necessary equipment, but we have told them that
23 according to the reports given by members who have
24 passed by a given place at such a such a given point of
25 tide that we believe there was some silting and please
26 do something about it and this, of course, happened.
27 We did bring it to their attention because they started
28 to do some dredging.

29 Q. Would you please turn to the next
30 chart, 1208, Exhibit 441 from Grosse Ile to Quebec.



1 French

2 Did it ever happen that you were forced to anchor in
3 the transverse?

4 A. By that you mean the channel at the
5 north. Well, personally, it never happened to me. I
6 anchored at bit at the bottom part of the transverse,
7 that is off Cap Tourmente, but never in the transverse
8 itself. Once or twice I anchored in that particular
9 section here with the X circled, but never in the trans-
10 verse itself, in the dredged channel itself.

11 Q. Did you ever have the opportunity
12 of crossing ships anchored in the channel?

13 A. I think it happened to me once many
14 years ago, but I can't recall too well the details.
15 It is always a rare occurrence. Perhaps I should be
16 more specific. It is very rare with commercial vehicles.
17 What is not rare is to meet ships from the Department
18 of Transport who have to look after the buoys and are
19 taking care of the aids to navigation. Often they
20 anchor to one side of the channel, and most of the time
21 it is outside the buoys because these ships have very
22 small draughts, and they are there, at any rate, only
23 for a few hours in order to undertake a piece of work
24 on the buoys, change a light, for example, a buoy and
25 so forth.

26 Q. Would you please go into the chart
27 of Quebec Harbour which is 1321, Exhibit 442. Are you
28 aware of the entrance to the St. Charles River has been
29 sort of widened?

30 A. When you are talking about the entrance



1 French

2 do you mean the distance between buoy 140 and the outside
3 corner of the breakwater or are you talking about the
4 inner basin?

5 Q. Well, no, the entrance?

6 A. Well, I don't know with the buoy --
7 from the buoy to the corner has been widened, to start
8 from the buoy and going inside a lot of work has been
9 accomplished.

10 Q. For how many years has this outside
11 basin been widened?

12 A. Well, I think it was finished last
13 year. It is not completely finished because we haven't
14 gone over -- it is mentioned on the chart as being a
15 depth of 35 feet, and I think it is only 30 or 31 feet
16 guaranteed throughout the basin to certain points in
17 here. Along the berths or wharves is 35, 36 feet, and
18 the dredging is not complete in that other area. I think
19 they are there at the depth of 30 or 32 feet. According
20 to the last reports I was given there is still a little
21 more dredging remaining to be done. Very little dredg-
22 ing has been done this year.

23 Q. Do you think that these deepenings
24 can facilitate the entrance or coming out of ships from
25 the basin?

26 A. Well, there was never too great
27 difficulty for the entrance or coming out, but there is
28 a great deal of improvement for the manoeuvring room.

29 Q. If a ship enters on the rising tide
30 do you think that this widening facilitates the duty of



1 French

2 the pilot?

3 A. Yes.

4 Q. Are there any other local usages or
5 regulations insofar as ferry boats are concerned? Do
6 these ferry boats go out of the ships' path?

7 A. You are talking about the ferries
8 from Quebec to Levis?

9 Q. Yes?

10 A. In my previous testimony, and I can
11 only repeat what I have said beforehand, we should
12 congratulate those who take care of the ferries because
13 they are always trying to facilitate our course.

14 Q. Is that an established regulation
15 or custom?

16 A. Well, I would think it is a custom
17 because the rules governing the International Pathways
18 are applied and to my own knowledge every time I meet
19 these people there are no problems. I can only tell
20 you that I have only to congratulate them.

21 Q. If you want to look at the berth
22 for the Irving Oil on the chart, did you ever serve at sea
23 on tankers before becoming a pilot?

24 A. Yes, I was captain, master of a
25 tanker.

26 Q. According to your experience what
27 type of portal installations is provided for tankers?

28 A. Well, I would say that everything
29 depends upon the spirit of the people in charge of the
30 Marine Offices of these companies. It seems that certain



1 French

2 of them have a better attitude towards the safety or
3 the installations of the ports and others seem to think
4 there is space -- they need only space for a pipeline
5 so naturally there is a great of variations between
6 one point of view and the other. Oftentimes they give
7 them the facility which is purely necessary for their
8 loading or unloading work.

9 Q. The installation of such Irving
10 Oil in Quebec, do you consider it to be something out-
11 side of what is usual or normal?

12 A. Well, I wouldn't say so, but I would
13 say that the installation of Irving in Quebec is perhaps
14 one of the striking examples of the least that could be
15 done.

16 THE CHAIRMAN: Is it similar to what
17 exists in Chicoutimi as well?

18 THE WITNESS: In Chicoutimi, my lord, I
19 think the installation leaves a great deal to be
20 desired, but perhaps it isn't as bad because in Chic-
21 outimi you reach Chicoutimi with only small tankers
22 while in Quebec with many large tankers and the instal-
23 lation in Quebec is being used more than in Chicoutimi.

24 THE CHAIRMAN: What about other companies
25 in Chicoutimi?

26 THE WITNESS: The installations leave a
27 great deal to be desired, Imperial Oil and so forth.

28 Q. Poor installation and even worse?

29 A. In Chicoutimi we go there only with
30 small tankers which have the facility of manoeuvring



1 French

2 which is quite different from the large tankers which
3 come to Quebec. Naturally the manoeuvrability of the
4 ship has a great deal to do with it.

5 THE CHAIRMAN: Don't you think space is
6 even smaller in Chicoutimi than in Quebec, the available
7 space in order to provide the installations?

8 THE WITNESS: Well, naturally, it all
9 depends. You can find space, particularly places in
10 Chicoutimi. I would take your question in the sense
11 of piloting aspects or spending?

12 Q. Is there more space in Quebec in
13 order to provide good installations?

14 A. Yes.

15 Q. Do you dock ships at night at the
16 Irving installation?

17 A. Yes, this is done.

18 Q. Is it the current practice, docking
19 at night?

20 A. Well, the majority of pilots, I
21 wouldn't say make persuasion, but try to make the
22 authorities of Irving Oil understand that nobody favours
23 that this type of manoeuvring, especially with large
24 ships. With small tankers we can go to Irving instal-
25 lations at nighttime or at daytime, but with the larger
26 ships we need to have the exact point, actual point
27 of tide and we prefer to know what goes on so at
28 nighttime, naturally, it is difficult to see one thous-
29 and feet ahead of you. For example, you can't see
30 trucks and so forth, so it is difficult for the pilot



1 French

2 to organize his manoeuvring to advise officers and the
3 men and so forth to organize themselves and the manoeuvr-
4 ing is being more perilous and lengthy, but it is being
5 done.

6 Q. Must you dock at one given point of
7 tide?

8 A. Well, mind you -- well, naturally it
9 is preferable to dock ships to arrive at the end of the
AA2 10 flood tide, for example, you want to have them in
11 anchorage before the flood tide because you would need
12 the necessary water because at low tide the ruins of
13 each berth can easily be seen.

14 Q. What is the direction of the rising
15 current?

16 A. Well, at Irving wharf I would say
17 that it is more or less parallel to the line of the
18 channel at that place with a slight bend towards the
19 ground. So the current has a tendency to sort of throw
20 you near the coast. When you are north and trying to
21 get a ship in position and you have a current which
22 is mixing with these ruins and frankly you have some
23 currents that mix with one another which play on one
24 another and frankly it is quite difficult at that
25 particular place.

26 Q. Would you please come back to the
27 Quebec chart, Exhibit 442. Many accidents occurred
28 off the Lauzon docks, shipyards. Are you ready to accept
29 that?

30 A. Well, it depends what you mean by "many"?



1 French

2 THE CHAIRMAN: More than elsewhere.

3 Q. There were three ships that were
4 involved in one and the same accident this summer.

5 A. Well, I am ready to say there were
6 some accidents.

7 Q. Would you be ready to say there were
8 more accidents taking place at that particular location
9 than elsewhere?

10 A. Well, I would need all the statistics
11 and records to that effect for a few year because I
12 don't know how many accidents occurred elsewhere.

13 THE CHAIRMAN: Do you think there are more
14 accidents occurring over there, to your own knowledge,
15 than elsewhere?

16 THE WITNESS: It is possible, my lord.

17 MR. JACQUES: Q. Now, basing yourself
18 on what you have heard and concerning your knowledge
19 as a pilot, can you give the reason for the occurrence
20 of these accidents which seem to happen in the curve,
21 for example, the case of the FRANKONIA which ran aground?

22 A. Well, I base all my data upon
23 hearsay. I wasn't the pilot or even an apprentice at
24 that time. I was at sea. I don't think it falls within
25 my competence to discuss or answer your question.

26 Q. Are you aware of the accident that
27 occurred this summer?

28 A. Well, again by hearsay.

29 Q. Don't you think the currents have
30 something to do with that accident, the down current?



1 French

2 A. Even if a current influences the
3 course of ship, which is always the case, we must --
4 we can't say the current is the main cause of accidents,
5 but it may be a cause added to other causes.

6 Q. But the current in the accident that
7 I mentioned, would it be one of the foremost reasons for
8 the occurrence of the accident?

9 A. Well, I don't know.

10 MR. LALONDE: My lord, I think my colleague
11 is asking for general information insofar as getting
12 at the difficulties of navigation in that area are
13 concerned, and then this question is proper. If the
14 witness interprets this question as having to deal with
15 specific accidents he mentions I think that the witness
16 should answer in a general way because the accidents are
17 sub judica at the present time and I don't think it
18 would be a good idea to ask the witness to give an
19 opinion about it.

20 MR. LANGLOIS: My lord, if I can be useful,
21 I am directly concerned with these accidents and the
22 investigations are not over in all the cases. Insofar
23 as the incident of three ships in the summer the
24 investigation is not complete. Another correction I
25 would like to make is there were three ships involved
26 this summer, but in one accident only.

27 MR. BRISSET: If I could make a suggestion
28 I think it would be a good idea just to ask the witness,
29 for example, what would be the affect of the current on
30 a different place, at a given place, and where, for example,



1 French

2 does the current throw you at the rising tide or lowering
3 tide, but insofar as accidents are concerned I am in
4 agreement with my colleagues to the fact that the witness
5 is not in a position to give an opinion.

6 THE CHAIRMAN: For example the witness
7 is going to tell us what the particular dangers are
8 having to do with the curve at this given place.

9 MR. JACQUES: Q. If it please the Commission,
10 whether I am right or wrong I was under the impression
11 there were far more accidents that are occurring in
12 that particular place than anywhere else on the river.
13 That is why I would like to determine if there is a
14 special factor, special element which may contribute
15 directly to these accident, either the tide, the
16 currents, for example, the lowering tide which would
17 necessitate the curve to be negotiated easily or that
18 a ship is used to cutting corners at that place, a
19 ship, for example, turns corners there. Would that
20 contribute directly?

21 A. Naturally as you pass the curve you
22 cut corners because you are dealing with a curve. Your
23 case is followed thus -- I admit that certain navigators,
24 I am not saying pilot, but navigators at that particular
25 place could at any rate, as I mentioned will do something
26 which is bad.

27 Q. Could you please indicate it in
28 red on chart 1213.

29 THE CHAIRMAN: Are they not very much
30 concerned with the currents? Don't you think their



1 French

2 manoeuvres are in order to find a place where they will
3 have a slow current, and a stern current instead of
4 having a front current, for example?

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R/RPS 1 French

2 THE WITNESS: There is no doubt that a
3 great part of the navigation up the part we are navigat-
4 ing in our District results from navigation against
5 current in defined places in the channel where the
6 current is not as strong.

7 Q. In other words, you don't have the
8 speed?

9 A. Yes.

10 THE CHAIRMAN: And at time is it not a
11 fact that you are forced to anchor even at Ile d'Orleans?

12 THE WITNESS: Yes, at different places.

13 Q. So the red arrow, your point of
14 departure is St. Petronelle and the point of arrival is
15 Brisebanne. That is approximately the course
16 followed by certain ships cutting corners?

17 A. That is minor navigation ships which
18 are not piloted by a pilot.

19 Q. Well this is not restricted to ships
20 controlled by pilots. Some lakers, for example, without
21 pilots or small tonnage ships not having a pilot on
22 board.

23 A. Well if this is not a common usage,
24 it is a permitted usage for ships to cut corners.

25 Q. Now with the lowering tide current,
26 do you have to take special precautions in order to have
27 access to that curve?

28 A. Yes, and that is why I cannot
29 understand why the current may be concerned as the
30 main factor contributing to an accident. As I said well



1 French

2 this current may have been one of the elements which
3 may have given rise to the accident.

4 If the current is at lowering tide, he
5 knows that his ship is going to go faster than usual.
6 Consequently, he is going to alter his course, consequent-
7 ly, and that is why I cannot imagine why the current
8 is considered as the -- well the element for an accident.

9 Q. If you are on board a ship of the
10 tonnage of the average number of ships you have piloted
11 yourself, with lowering current, at what point would
12 you start to steer to cut the corner on the downstream
13 ship?

14 A. First of all, this manoeuvre is
15 done constantly. There is not a given point where you
16 would start. Let us say, for example that a good pilot
17 would have gone on board here (indicating).

18 Q. Indicate please with the letter Z
19 in red where the pilot went on board.

20 A. So we went on board here (indicating)
21 going downstream. For one reason or another if he is
22 more on the north, on the right side of the channel
23 there, immediately the pilot is going to change his
24 course in order to get to his side of the channel so
25 as to be on the right side of the channel which is
26 indicated with a red arrow so if he is on that ebb
27 tide he is going to be sure that his course is constantly
28 followed and if the current for one reason or another,
29 or if you have wind, for example, northeast wind, the
30 wind may be strong at the last point of the tide, the



1 French

2 ebb tide so northeast wind may have thrown your ship;
3 may take half an hour to regain its normal speed. For
4 example, you have a ship with strong ebb tide, well
5 here the current is not parallel with the direction of
6 the channel so you must be sure when he goes on board
7 that he goes on the right side of the channel and keeps
8 it, and then his course will have to start well abeam
9 with the breakwater at the entrance of the St. Charles
10 River for example in full ebb.

11 Q. Mark it with a red X circled.

12 A. At that place at full ebb a pilot
13 should start slowly, according to the speed of his ship,
14 to start altering his course and to keep to his side of
15 the channel.

16 Q. Did you have any opportunity to go
17 between intermediate harbours like St. Simeon, Cap St.
18 Joseph, Point a Pic, St. Jean, Ile d'Orleans, Riviere
19 du Loup, Rimouski?

20 A. Well in several of these Ports, or
21 harbours. Not all of them.

22 Q. Which ones?

23 A. I have been to St. Simeon, Riviere
24 du Loup, Rimouski, Forestville when it was in our
25 District.

26 Q. Was St. Simeon, for example?

27 A. Well I went there with a tugboat.

28 Q. Were there any big freighters around
29 there?

30 A. Well big tonnage, no. You have,



1 French

2 of course, pleasure trips which go around there. The
3 Canada Steamship Line during the summer. You have also
4 the small coastal navigation schooners, et cetera, but
5 not regularly.

6 Q. Now you have piloted from St. Simeon,
7 River du Loup and in Riviere du Loup you spoke of vessels
8 of Irving Oil. The vessels of Irving Oil, are they
9 small tankers?

10 A. They are mostly tankers or oilers
11 like the IRVINGWOOD.

12 Q. Which tonnage?

13 A. 2,000 tons gross, perhaps 1,500 tons
14 net.

15 Q. Do they use a pilot?

16 A. Generally, yes.

17 Q. So the manoeuvring to get into the
18 harbour and dock, is it complicated?

19 A. Not too complicated. There is a berth
20 and dock, one must go to the tip of the berth where there
21 is enough water and in Riviere du Loup there is nothing
22 very complicated except we must go around according to
23 the depth of water near the berth and we need to use it
24 at the last half of the flood. Now we, therefore, dock
25 with the front towards the east.

26 Q. Do the currents there create a problem?

27 A. No. If you know very well the
28 direction of the current, you have no difficulty.

29 Q. Did you go to Rimouski with a vessel?
30 Which tonnage?



1 French

2 A. I have been with several vessels. I
3 would say perhaps I went more often with small tankers,
4 although the majority of vessels who use pilots and go
5 to the place of that class have been with merchant
6 vessels, foreign-going vessels and ocean going vessels
7 over 3,000 tons.

8 Q. I am informed that a captain of
9 vessels living in Rimouski does pilotage in and out?

10 A. Well I have heard the same thing.

11 Q. During your term as an officer of the
12 Corporation have you heard about this pilot in the
13 Corporation?

14 A. Not to my knowledge.

15 THE CHAIRMAN: The same situation in
16 Forestville.

17 MR. JACQUES: Your lordship it is not the
18 same.

19 THE WITNESS: Not the same your lord. I
20 think that in Forestville one way or the other, I don't
21 think anybody was doing pilotage. We go perhaps two
22 or three times a year, before they were using pilots
23 but now these ships or vessels go all by themselves.

24 Q. Now the question of the pilot in
25 Rimouski has never been discussed by the Corporation
26 while you were one of the officers?

27 A. No, not to my knowledge.

28 THE CHAIRMAN: Well the question is whether
29 the limits of the District should not be amended to
30 exclude Rimouski because as long as it is in the District



1 French

2 the normal pilotage which is done there should be
3 provided by the licensed pilots, so this is the question.

4 THE WITNESS: Well on this point, we have
5 informed all our pilots if a captain asks them to go
6 down to Rimouski and dock the vessel, they should do it
7 at the request of the captain.

8 Q. So you have informed your members.
9 Now do you have any knowledge, or do you know if this
10 has been done in writing?

11 A. Without remembering, this was done
12 in a bulletin of the Corporation.

13 Q. So you think this is in a bulletin
14 of the Corporation. Well the use of the log to indicate
15 the course of the vessel -- you could sit down. Perhaps
16 you may sit down -- to indicate its course, is that
17 something which is extraordinary aboard the vessels or
18 is it fairly frequent?

19 A. Well I would say that for the vessels,
20 foreign-going vessels in the majority of cases in the
21 wheelhouse there is the automatic course indicator so
22 that the pilot can indicate through the wheelsman what
23 he should do.

24 Q. Well when you were a sailor, before
25 becoming a pilot, was this something you found on
26 vessels on which you travelled?

27 A. Well in a great majority of cases,
28 yes.

29 Q. This is not, therefore, special
30 only for pilots on the river?



1 French

2 A. No sir. Even at sea, in the majority
3 of cases, this is an indication to the helmsman.

4 Q. Did you do any moving with vessels
5 in Quebec? Did you do that this year?

6 A. Yes.

7 Q. How many did you do this year?

8 A. About a dozen.

9 Q. Did you have the opportunity to do
10 a movage at Wolfe's Cove or the St. Charles Basin?

11 A. Well Wolfe's Cove, 25, 26. Not
12 this year.

13 Q. Did you do a movage of this kind
14 before?

15 A. Well the St. Charles, Wolfe's Cove,
16 yes.

17 Q. How long does it take?

18 A. Well do you refer to the time for
19 manoeuvring or the time at which I docked?

20 Q. Well from the time you get on board
21 and the time you get off?

22 A. On the average I would say it is
23 two hours.

24 Q. Well is this the longest movage time
25 that you have had in the Quebec Harbour?

26 A. Well I don't think so. I would say
27 now a movage is something that is intangible. A movage
28 is sometimes done in 40 minutes, and the same one with
29 another vessel, with different weather conditions/ This
30 will depend on the vessel herself, weather conditions,



1 French

2 the tide, et cetera.

3 Q. Well I think that the Commission
4 understand this very well but you should be able to
5 indicate the time it takes in the majority of cases?

6 A. Well then I will answer saying that
7 the movage which takes the longest time in Quebec, if
8 you take a vessel from one pier and you take it in the
BB2 9 inland basin in Quebec Harbour.

10 Q. Did you do such a movage?

11 A. Several.

12 Q. Well could you say what kind of
13 manoeuvre you make?

14 A. Well the manoeuvre takes several
15 stages. First is to bring the vessels to the pier. We
16 should call upon the Point of Carcy ---

17 Q. Could you indicate in red the Point
18 of Carcy?

19 A. We dock -- suppose the vessel is
20 here (indicating). We bring it and dock it at Point
21 Carcy.

22 Q. Do you have any tugboats to assist
23 you?

24 A. Well I have done this manoeuvre with
25 or without tugboats.

26 Q. Is it normal to do it without tugs?

27 A. Well it is normally done perhaps with
28 the assistance of tugs.

29 Q. Please proceed.

30 A. Here we anchor (indicating) the vessel



1 French

2 then at the Point (a Carey), we enter the outside basin.
3 and then we line our vessel with the lock gate which
4 is between the two basins and after we have received a
5 signal to proceed, or the clearance to proceed and once
6 the bridges have been lifted, we cross this lock and we
7 will bring the vessel to the pier, well in the majority
8 of cases one of those belonging to the coal companies
9 at the south side of the inland basin.

10 Q. Are these movages very frequent?

11 A. I must say here that probably 50/50.

12 Before docking we must turn the vessel and point the
13 vessel towards the outside. Sometimes we must do it
14 towards the inside of the basin because the vessel
15 authority or the company have requested us.

16 Q. Are these movages fairly frequent
17 now?

18 A. In the inside basin it is hard to give
19 you statistics. I haven't got them. Certainly several
20 by season.

21 Q. I have been informed by Mr. Langlois,
22 he said he asked for statistics from the counsel of the
23 National Harbours and he said there were 45 vessels of
24 high tonnage last year which were moved in this District.
25 Anyway, I will ask for exact accurate statistics.

26 THE CHAIRMAN: Perhaps high tonnage, but
27 not very wide.

28 THE WITNESS: Your lordship 55 to 60 feet,
29 there is 63 to 66 feet, there is exactly 66 feet available
30 at the bottom but we lose about 3 feet on each side.



1 French

2 Q. Which is the type of vessel that you
3 anchor, that you bring into the inside basin?

4 A. Well there are several of them which
5 are colliers which carry coal, and sometimes come with
6 coal from the Great Lakes. Several also come with
7 sulphur or with phosphates.

8 Q. Well this morning Mr. Brisset asked
9 you some information about -- you may sit down -- the
10 average number of trips you make each week during the
11 year and sometimes your average was three trips a week.

12 A. Well I did not accept these figures.
13 I accepted the total figures for the season.

14 Q. Well I don't say that you have
15 accepted these figures but this figure was mentioned
16 this morning. I don't like averages. I would prefer
17 if you could tell me in the peak of the season of
18 navigation what is your average then? Weekly average?

19 A. Well certain periods of intense
20 or high traffic, there are several periods like this
21 where a pilot does four or five trips a week. Some-
22 times also there are about three or two trips.

23 Q. Sometimes not at all?

24 A. I think no trip per week is a very
25 seldom case and this has almost never been.

26 Q. Well do you travel at night sometimes
27 during the winter navigation season?

28 A. Yes. I should specify very often the
29 vessel is ready at six or seven o'clock at night. We
30 discuss the icing conditions with the captain and the



1 French

2 captain himself will decide whether we leave. We will
3 leave very early.

4 Q. Are there any obstacles to nighttime
5 navigation?

6 A. Well if the weather is clear, good
7 visibility, I see no difficulty and no obstacle.

8 Q. Now I would like to ask a few questions
9 concerning your apprenticeship. Could you tell us how
10 you gave your name as an apprentice, or before when you
11 were a candidate apprentice, and then how did you become
12 an apprentice?

13 A. I asked the Superintendent at the
14 time to put my name on the list of candidates, apprent-
15 ices, in 1942, if I am correct. I was then seaman on
16 the S.S. SABLE ISLAND.

17 Q. How did you learn the various conditions
18 required to become a pilot in this place?

19 A. Mr. Albert Hamäl, when I made my
20 application, gave me various sheets, typed, on which
21 were mentioned all the various conditions which were
22 required for pilotage for the examination.

23 Q. Then you gave your name in 1942?

24 A. Approximately.

25 Q. Well when were you called to be an
26 apprentice?

27 A. In 1952. 10 years later.

28 Q. During your training as a candidate
29 apprentice, did you have any difficulties?

30 A. Could you explain that?



1 French

2 Q. Did you have any guarantee that you
3 would become a pilot?

4 A. Well I had no guarantee, no explanation.
5 All I was doing was giving my name with the hope that
6 there would be one call and I would be called at some
7 stage to start my apprenticeship before we reached the age
8 limit and sometimes it was 25. Later it was 30. We had
9 to satisfy all these conditions, but apart from that we
10 had no guarantee. We had no guarantee that an apprentice
11 for so many years would ever become a pilot.
12 There was an exception to seamen who have navigated the
13 dangerous waters during the war.

14 In the wartime there was a regulation or
15 By-Law during the war which gave the apprentices who
16 had made the total training course for certain duration
17 of time, that their name would be on the list and this
18 is the way that I became an apprentice because my name
19 was on the list.

20 THE CHAIRMAN: Because of the age?

21 THE WITNESS: Yes, because of the age. I
22 was on the list. I should have been called to start my
23 apprenticeship before the age of 25. I was 26 your lord-
24 ship when I was called, but having had the service in
25 wartime I was still eligible.

26 THE CHAIRMAN: Well disregarding the question
27 of age, you still had a guarantee; your priority on the
28 list. You were to be called before the person who was
29 after you. Therefore, there was a certain guarantee.

30 THE WITNESS: Well they call that a guarantee



1 French

2 but this list was with the officers of the D.O.T. and
3 of course I have to trust them.

4 Q. May I suggest that the only guarantee
5 you had to become a pilot was that the number of pilots
6 required to do the work on the St. Lawrence was increas-
7 ing to replace those pilots who were retired. When you
8 became an apprentice what was the minimum time of apprent-
9 iceship?

10 A. Five years.

11 Q. And you served how many years?

12 A. More than five years.

13 Q. How much approximately?

14 A. Well my licence for apprenticeship
15 was for 1952, and I became a pilot in February 1958.

16 Q. Well when you became an apprentice,
17 did you have any guarantee at the end of the five-year
18 period of apprenticeship that you might become a pilot?

19 A. No. No guarantee that after five
20 years I would become a pilot but I knew that I had the
21 guarantee that someday I would become a pilot, when I
22 would be called upon to become a pilot.

23 Q. Of course subject to your passing
24 the examination so when you were an apprentice, you had
25 no guarantee you would be called upon as a pilot at a
26 fixed time?

27 A. That is correct.

28 Q. During your apprenticeship could
29 you be employed elsewhere, in other functions? With other
30 duties?



1 French

2 A. With the permission of the authorities,
3 who was Mr. Hamel, we could earn our living outside
4 subject to the condition that we had to do the minimum
5 required trips each year, and we had to do this.

6 Q. How many trips did you have to make?

7 A. I had forty trips.

8 Q. How long did it take you to make these
9 40 trips?

10 A. Well for somebody who works hard,
11 40 days.

12 Q. Well did you succeed in doing it in
13 40 days?

14 A. Well I have never done more than 40
15 days. I didn't keep any record.

16 Q. This was done during the navigation
17 season?

18 A. Certainly.

19 Q. And the rest of the time you worked
20 elsewhere?

21 A. Yes.

22 Q. Were you married when you became
23 an apprentice?

24 A. Not when I became an apprentice.

25 Q. Did you get married while you were an
26 apprentice?

27 A. That is correct.

28 Q. And as an apprentice how much money
29 did you earn?

30 A. Well I think we had \$9 per trip and



1 French

2 during the last two years it was up to \$12 a trip.

3 Q. And who used to give you this money?

4 A. Shipping companies.

5 Q. All the companies were doing that?

6 A. No, there was some exceptions.

7 Q. Did the pilots themselves give you
8 some remuneration or give to the apprentices some
9 remuneration?

10 A. Sometimes. I could say that this was
11 not in the majority of cases.

12 Q. Were there any occasions where a
13 pilot had paid you some remuneration so that you could
14 do part of the piloting without him being up on the bridge?

15 MR. LALONDE: Could you read that again?

16 (FRENCH REPORTER: Were there any occasions
17 where a pilot pays you so that you could do part of the
18 pilotage without him being on the bridge?)
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B/RPS1 French

2 A. I shouldn't say that.

3 Q. Is it yes or no?

4 A. Yes or no -- this, your lordship,
5 is very difficult to answer. There was never any
6 agreement, specific agreement. I should answer by
7 saying in several cases -- I think I should give an
8 explanation before giving the answer.

9 Q. Will you please explain it?

10 A. Well, when I was an apprentice there
11 was in pilotage what you call lines, very busy lines,
12 and very often they would get off one ship and just
13 do some washing a little bit and jump on another vessel,
14 so very often they were a little bit more tired than the
15 others who had enough rest between trips, and very often
16 those special pilots used to take senior apprentices
17 who were recognized as having good knowledge, having
18 served complete apprenticeship, I should say, and almost
19 ready to become a pilot and he was then asked, would you
20 like to come with me and I will give you something, and
21 these apprentices without taking the whole trip for the
22 pilot, in the least complicated parts of the way, White
23 Island to Goose Cape -- sometimes we used to go to
24 Pointe au Pere and Red Island. We could therefore handle
25 the ship and the special pilot could have some rest in
26 the meantime. I think this is approximately the most
27 honest reply I could give you.

28 MR. JACQUES: Mr. Langlois must leave and
29 he would like to ask a few questions of the witness.
30 With your permission I will suspend my cross-examination



1 French

2 of the witness.

3 MR. LANGLOIS: I thank you very much for
4 your kindness. I will take this opportunity to say this
5 week, your lordship, we have in Lake Beauport the
6 Congress of the Navy League of Canada and as Chairman
7 of this League I will have to take part in these
8 activities and I will have to leave on several occasions,
9 with much regret, but I have my colleague, Mr. Richard
10 to replace me.

11 THE CHAIRMAN: You will also have a record
12 so you will know exactly what has been progressing.

13
14 RE-DIRECT EXAMINATION BY MR. LANGLOIS:

15
16 Q. This afternoon I have to go at
17 3:30 and I have a few questions to ask Captain Dussault.
18 Captain Dussault. In the cross-examination by Mr. Mason
19 there was mention of separate courses on the Great Lakes
20 and you were asked whether the same thing could be
21 possible in the St. Lawrence. What is your reason?

22 A. If I recall correctly, your lordship,
23 the separate courses for the upper half of our District
24 from Quebec to Goose Cape -- there is no possibility.
25 It was impossible because of the narrow channels, strong
26 currents. Perhaps, and I say perhaps there would be
27 a possibility of organizing such a system in the lower
28 half, which is between Goose Cape and Les Escoumains.
29 For the Saguenay it would be absolutely impossible,
30 perhaps not definitely, but certainly not advisable.



1 French

2 Q. Well, since this part of the St.
3 Lawrence is affected by the tide couldn't it be dangerous
4 to take only a course which would be parallel and very
5 close where one must take into account the current?

6 A. Well, it would certainly be dangerous,
7 and that is why I say, perhaps, but I would think it
8 would be necessary from a safety angle to have people
9 who know very well the currents in this District; in
10 other words, a pilot.

11 Q. Now, Mr. Brisset, I think referred
12 to pecked lines which would indicate centre line of the
13 channel within the limits of Quebec Harbour. The
14 attention of the Commission was called to the fact that
15 above Foulon this line is on the north side of the
16 channel. The reason for this centre line being indicated
17 in this way might be the fact that there are areas for
18 anchorage at the site?

19 A. Well, there may be some areas for
20 anchorage there. It is not indicated.

21 Q. They are indicated?

22 A. It is quite possible.

23 Q. Is it not an anchorage area?

24 A. No, not as such.

25 Q. Well, are there any vessels which are
26 anchored in that particular area, particularly around
27 the cables near the pilotage station?

28 A. Well, in this particular area which
29 is shown by an anchor on the map it is correct, but I
30 thought you were referring to the west of Wolfe's Cove.



1 French

2 If you are referring to the east this is recognized
3 officially as an anchorage area.

4 Q. Mention has also been made to the
5 course of the main vessels when they must turn or make
6 a curve, they must do it/in advance so that they stay
7 almost straight. Wouldn't the reason for this be a
8 big vessel must take more room to alter course than a
9 small vessel?

10 A. Certainly this is a fact.

11 Q. Now, once again referring to radar,
12 true motion radar. Isn't it correct that there are
13 some radars. you have relative motion and you have
14 true motion. I don't know exactly the French word for
15 it, but it is called true motion and relative motion.
16 Do some captains or seamen hesitate to use the true
17 motion, to use the true motion radar?

18 A. This is correct to a certain extent.

19 Q. Do you know the reason for this
20 reluctance?

21 A. Well, just the use.

22 THE CHAIRMAN: Could you explain the true
23 motion, the difference between true motion and relative
24 motion?

25 THE WITNESS: Well, the main difference,
26 your lordship, is if you use a radar, when you have
27 relative motion the centre point of the radar -- I
28 haven't got the French word -- I will use English. The
29 centre point of the radar screen is always at the centre
30 of the screen and everything happens around you. You can



1 French

2 take your bearings or reckoning according to the equip-
3 ment you have and there are various ways of measuring
4 the distance which separates you from your target, as
5 we call it. With the true motion radar your vessel
6 moves on the screen, and that is why we say true motion.
7 It is just as if you were completely independent from
8 the vessel, you were in a helicopter or airplane above
9 the vessel and you could see the true motion of your
10 own vessel through the channel.

11 THE CHAIRMAN: Well then, on the screen the
12 vessel isn't the centre point?

13 THE WITNESS: No, your lordship. You see
14 it move with the coast. You see the vessel move and with
15 the relative motion everything around moves and you don't
16 move.

17 THE CHAIRMAN: True motion is new equipment?

18 THE WITNESS: Well, it is a new development
19 of radar. It is a development which was begun several
20 years/^{ago} but commercial development is relatively new.
21 I think that the reluctance of certain navigators to
22 use this equipment is certainly lack of practice. It
23 is only a question of getting used to it and understanding
24 it.

25 THE CHAIRMAN: Well, I think that from the
26 beginning of this Commission I have seen all kinds of
27 radar on many vessels and I have never seen one true
28 motion. Of course I am now anxious to see one.

29 MR. LANGLOIS: Q. Incidentally, I think
30 the acceptable translation of true motion would be



French

1 displacement reel as opposed to the déplacement relatif,
2 or relative motion. Now, this morning, Captain Dussault,
3 you talked about improvements of the south channel.
4 Could you please turn to chart 1207 which is Exhibit 440,
5 Exhibit 440. Did you ever hear about the improvements
6 asked for many years in order to use the channel at the
7 south of Coudres Island?

8 A. Yes, I heard about it.

9 Q. Do you know about project?

10 A. Well, I suppose -- you may correct
11 me if I am wrong, the project was to ask for the dredging,
12 for the opening of the channel.

13 Q. Could you please indicate it with a
14 red pencil. Would you prefer to have this improvement:
15 as compared to having a dredging of the south channel?

16 A. I don't think so.

17 Q. What would be the main advantage of
18 such an improvement that has been asked for?

19 A. My lord, I think it would be an
20 improvement but the question I asked myself was the
21 following: Would I prefer this or that? I would prefer
22 to see the improvement to the south channel already
23 in existence instead of having this new project, but
24 if they want to undertake this project I congratulate
25 them.

26 MR. LANGLOIS: Q. What would be the main
27 advantage to that project?

28 A. I would say especially on winter
29 navigation for the clearance that would be made because
30 the current would create this in that channel for the



1 French

2 clearing of ice because from Cap Martin to Cap Maillard
3 indicator or blackboard is about the most crucial part
4 for the pilot during the navigation season due to the
5 strong currents in the area. I would say it would be
6 an improvement from that point. The curve could be
7 affected that way.

8 Q. Your ice builds up in the curve?

9 A. For example a ship going downstream
10 takes this channel, and upstream ~~on has~~ another channel
11 and so forth. To be more expansive with my answer I
12 prefer to see improvements on the south channel because
13 in the south channel you have a new channel at your
14 disposal, not only a short stretch of channel at your
15 disposal. By doing that you don't create all the prob-
16 CC2 lems, all the troubles, all the traffic, down as far
17 as Cap Brule, Cap Grisbanne and the changes of course
18 in the small channels. I am not a civil engineer, but
19 I am sure that the civil engineers have compared both.
20 I can tell you it would be a great difference.

21 Q. Is it not true, Captain Dussault,
22 that the section from Cape Goose to Cape Maillard
23 is kind of a bottleneck for ice which is perilous,
24 especially the Quebec Harbour during the winter?

25 A. As I stated a few moments ago this
26 part is the most important one insofar as the ice
27 accumulation is concerned.

28 Q. And only this new approach would
29 settle that problem?

30 A. I think so.



1 French

2 Q. Would it be advantageous so long as
3 it would satisfy Mr. Mason, having separate courses for
4 upstream and downstream vessels and avoid dangerous
5 collisions?

6 A. For example you could certainly pass
7 upstream ships there and downstream ships there so it
8 would certainly improve, especially in foggy conditions.
9 This would be an improvement at all times.

10 Q. My last question, you talked this
11 morning about accommodation ladders. Are there not
12 cases where you have some accommodation ladders which
13 leave something to be desired, where you think they
14 are dangerous?

15 A. There are certain cases where the
16 accommodation ladders are in bad condition.

17 Q. Could your group do something about
18 that when you find a ship that hasn't an accommodation
19 ladder that meets regulations?

20 A. I think it happened in the past that
21 certain pilots refused to go on board those ships until
22 this situation was settled. I would say that pilots
23 in general are good guys and they give chances to
24 everyone.

25 MR. LANGLOIS: Thank you.

26 THE CHAIRMAN: I think we are going to
27 take advantage of that in order to have a short
28 recess.

29
30 ---A SHORT RECESS.



1 ---FOLLOWING THE SHORT RECESS:

2
3 CONTINUATION OF CROSS-EXAMINATION BY MR. JACQUES:

4
5 Q. Mr. Dussault, you were talking about
6 apprenticeship that were paid by pilots in order to do
7 part of the pilotage on the river, and then you gave an
8 explanation of circumstances of special pilots who proc-
9 eeded first. Did you ever have an opportunity to do
10 that work for certain pilots?

11 A. Yes.

12 Q. To the best of your knowledge is
13 that usage quite frequent among pilots?

14 A. Well, it wasn't frequent usage, no.
15 As I mentioned a few minutes ago this happened especially
16 for certain particular -- those of very busy special
17 pilots who had to pilot a great number of ships and had
18 days where they had many, many ships in their lines
19 in the same District at the same time and consequently
20 they had to pilot their ships and so forth.

21 Q. Do you think that a similar request
22 has been made for other reasons aside from the ones
23 that were given before?

24 A. It is quite possible.

25 Q. Did it ever happen to you that a
26 pilot, let us say an intoxicated pilot, a pilot who had
27 taken alcohol has asked you the same service, being
28 paid or not paid?

29 A. No, I don't remember any occasion
30 for which I was asked in the case you mentioned.



1 French

2 Q. During your apprenticeship did it
3 ever happen to you to find yourself with a pilot who had
4 taken some alcohol before boarding a ship?

5 A. Well, perhaps it happened that I
6 boarded the ship -- a pilot -- there is a difference
7 between a pilot taking some alcohol and an intoxicated
8 pilot. Perhaps I went on board with a pilot who took
9 perhaps one or two drinks, but certainly not with a
10 pilot who was under the weather.

11 Q. Did it ever happen to you that you
12 found yourself with a pilot on board a ship and that
13 pilot would have taken alcohol on board the ship?

14 A. Not in front of me.

15 Q. Never in front of you. Do I understand
16 properly that you imply by that . . .

17 MR. LALONDE: My lord, I think that the
18 Commission had itself defined its terms of reference
19 as restricting itself especially to the five last years
20 where we would dwell especially, and I don't think it
21 would be interesting to the Commission to go back in
22 the course of his apprenticeship about eight years or
23 six years to see if the witness has ever seen a pilot
24 take a drink on board a ship. I think that this is of
25 historical interest but I think in this particular case
26 it is not very interesting.

27 THE CHAIRMAN: We may learn through the
28 lessons of history and this may serve us in the future.

29 MR. JACQUES: Q. I am going to start my
30 question again. Your answer seems to indicate that you



1 French

2 would have been on board a ship where a pilot would have
3 taken alcohol while on board the ship except that it
4 wasn't done in front of your eyes?

5 A. I wouldn't like to imply any of the
6 pilots with whom I travelled -- if I didn't see them take
7 a drink I can't say they took a drink. Here once more
8 I must be more specific because I have had it happen,
9 and all the pilots of my District or elsewhere throughout
10 the world, as you know we take our meals on board the
11 ship, on the bridge, and occasionally with our meal and
12 especially with foreign-going ships sometimes the drink-
13 ing water is not drinkable and while sometimes we get
14 a glass of beer with the meal and we don't stress the
15 fact. Even myself if I have a glass of beer with my
16 meal I don't see anything wrong with that if you say we
17 take some alcohol, in that case there is some alcoholic
18 beverage on board. I think a distinction must be
19 made.

20 THE CHAIRMAN: In the Canadian Merchant
21 Marine the rum is served. We don't wait to get to
22 shore to give the rum out.

23 THE WITNESS: Yes, my lord.

24 THE CHAIRMAN: But the rum is given on
25 board the ship, not on shore.

26 MR. JACQUES: Q. Did it ever happen while
27 you were an apprentice you found yourself on board a
28 ship with a pilot who was intoxicated?

29 A. No.

30 Q. It never happened to you?



1 French

2 A. Well, intoxicated, what is the
3 definition of intoxicated?

4 Q. I am going to give you the symptoms,
5 their breath smells of alcohol, they have a thick
6 tongue and let us say they may not walk straight?

7 A. Well, let us say it was the breath:
8 insofar as the breath is concerned I was with pilots
9 who had the smell of alcohol on their breath and so
10 forth. As far as the thick tongue was concerned I
11 never tested, and so far as their walking straight was
12 concerned, even by myself when I am sober, sometimes
13 I still walk not so straight.

14 Q. So, you were at times with pilots
15 whose breath smelled of alcohol. I think we agree on
16 that?

17 A. Yes.

18 Q. Did you even find yourself with
19 pilots, I mean personally, who weren't in a position
20 to fulfil their duties or perform their duty?

21 A. To that I must answer no because
22 all the pilots with whom I made my apprenticeship were
23 fit to perform their duties in security, perhaps not
24 in perfect condition, but they were fit to do their

25 Q.
25 work. /Now, on another line, about wintertime, do you
26 ever take the south channel?

27 A. Never.

28 Q. Why?

29 A. I never have been there myself. I
30 would think that the south channel because of its narrow-



1 French

2 ness and its shallowness of water in many places must
3 be blocked practically constantly in many places around
4 Ile Grosse and Goose Island and in the vicinity, I
5 think it is 100 per cent ice.

6 Q. Could you explain to the Commission
7 the manoeuvre you do when you meet with ice in the
8 winter with a ship which is not built especially for
9 ice conditions? Do you slow down or do you go on at
10 the same speed or do you go around the ice or what?

11 A. Well, let us say if we are in the
12 lower part of the District, that is from Cap aux Oies
13 to Les Escoumains in the shallow water in the spots
14 for navigation, if the ice isn't continuous there and
15 the difference in course isn't too great we will go
16 around the ice. It is still the best thing to do
17 because then no ice touches the ship and there is no
18 danger incurred. Then when we have to go through the
19 ice especially with a ship which is not reinforced or
20 built for ice, then as you mentioned we are going to
21 slow down greatly, perhaps even to slow speed before
22 entering the field of ice but as soon as the ship will find
23 itself in the ice -- well, sometimes we will increase
24 our speed in order to go through the ice. All this,
25 naturally, is done with the approval of the ships'
26 masters who know best the building of his ship than
27 the pilot who goes on board, perhaps for the first time.



RPS 1 French

2 Q. For the slow speed is it because
3 you don't know the thickness of the ice and that the
4 ice may be thicker than you suspect and that you don't
5 want to damage the ship?

6 A. This is one of the main reasons and
7 also in Goose Cape, should we take any risk, if
8 the ice is not too thick and we can pass through it
9 at full speed ahead, fine, but then we will be sure
10 we have taken all the necessary precautions in order not
11 to damage the hull of the ship.

12 Q. Captain with the exception of the
13 case of the light ship at Red Island would you consider
14 the aids to navigation within your District as being
15 satisfactory?

16 A. The aids to navigation of the main
17 channel, that is the northern channel are satisfactory.

18 Q. And for the south channel?

19 A. Well perhaps I would like to see
20 some improvement.

21 Q. To the south channel?

22 A. Yes, especially in regards to certain
23 range lights which it would be safer to have some
24 watchmen looking after these range lights, or to have
25 more light buoys at the places where they used to be
26 beforehand, but as that channel is considered as a
27 secondary channel ---

28 Q. So ever since the installation of
29 lights that are unwatched, / did it have an emergency system
30 built in? Did you ever have the opportunity of seeing



French

these lights completely out?

A. Well it has happened in the past.

Q. When?

A. I don't remember exactly.

Q. Do you know if it was a light which was equipped with this emergency system which was mentioned in Montreal? That is to say that the batteries which are connected to the light will start operating as soon as a light goes out?

A. I can't say that. I can't answer surely about that.

Q. Thank you.

RE-DIRECT EXAMINATION BY MR. LALONDE:

Q. Captain Dussault you have proved to be perfectly bilingual. To your experience in your Pilotage District it is useful, necessary or essential that vessels have on board a pilot who knows both French and English?

A. My answer would be that certainly, without being essential or necessary, I would say almost necessary, essential, but very useful or advantageous to be bilingual for a pilot, particularly on the telecommunications with vessels, local vessels, particularly those with whom we have to communicate which are stopped, are maintained by officers where these people, the crew, do not speak very good English. For conditions of safety and good manoeuvring, it is



1 French

2 certainly essential in this case to be able to speak
3 French.

4 Q. Do you very often cross such vessels,
5 local vessels in your District?

6 A. Well I would say the great majority
7 of the coastal service here are manned by officers and
8 a crew who are French-Canadians particularly, and
9 schooners, almost certain that the use of English is
10 nil.

11 Q. From your experience did you meet
12 such schooners where knowledge of English by the crew
13 on board with whom you were communicating by radio
14 was almost nil?

15 A. Certainly. Well this is -- this
16 evidence is given almost every day on the St. Lawrence
17 in this District you hear some vessel which communicates
18 with coastal vessels and if he asks the name of the
19 vessel in English, he will get no reply.

20 Q. Well does it happen then that these
21 small coastal vessels communicate between themselves
22 directly?

23 A. Often.

24 Q. Which language do they use?

25 A. French. Always French.

26 Q. Is it important for the safety of
27 the vessel that you are piloting to be able to understand
28 the content of these conversations between schooners?

29 A. Well this is very important, partic-
30 ularly in poor visibility.



1 French

2 Q. Can you explain this in practice,
3 to what extent these communications could be important?

4 A. Well suppose you proceed into -- you
5 are just turning to Goose Cape and you have poor
6 visibility. You hear several schooners who say well I
7 am leaving from St. Joseph; the other one leaving from
8 Ile de Coudres. Another one will say I am going to such
9 and such a destination.

10 Therefore, you know what you are going to
11 see on your screen and this certainly will help you
12 know which one has just left from the Ile de Coudres,
13 and the other one from Cap St. Joseph and you can then
14 shape your course the safest way possible. You will see
15 on your screen an echo such and such a place and you are
16 almost certain from his conversation or course and speed
17 that this is a schooner.

18 You can call him at such and such a place,
19 give him the bearing and distance. If you asked in
20 French you are almost certain to have a reply. If you
21 asked in English, you are almost certain to have no
22 reply.

23 Q. So I conclude from your reply, or
24 answer, that any ship of minor importance in this
25 District should have on board somebody who can communic-
26 ate with the crew on the schooner? In other words,
27 an officer?

28 A. Well it is certainly very desirable
29 from the point of view of safety.

30 Q. Well this would imply, if I understand



1 French

2 you correctly, that there should always be on the bridge
3 one person who would be able to speak French with the
4 crew of a schooner?

5 A. That is correct.

6 Q. The trips that you make in your
7 District, do you communicate regularly with the crew of
8 the schooners and can we say on each and every trip you
9 have radio exchanges with the crew of these schooners?

10 A. Well in clear weather no, but with
11 poor visibility or with fog, this is frequent.

12 Q. Do pilots on board the vessels
13 communicate between themselves by radio-telephone?

14 A. This happens often.

15 Q. Which language do they use when they
16 communicate together?

17 A. Well the majority of cases they will
18 speak French. Sometimes, by courtesy with another,
19 with the crewman on board the same vessel will say a
20 few words in English.

21 Q. These communication exchanges between
22 pilots, are they useful for the safety of the ship and
23 the navigation of your own vessel?

24 A. Certainly. With poor visibility or
25 fog we communicate, as I said, with the schooners and
26 the coastal vessels. We can see on the radar screen,
27 or we can hear the fog whistle of a vessel, and we can
28 ascertain that this is a particular vessel in question
29 and we can make necessary arrangements to cross each
30 other with enough clearance, and sometimes we may also



1 French

2 get information on the lights which are off and the
3 movement of a buoy and we can be informed of these
4 changes.

5 MR. JACQUES: Well this use of the radio-
6 telephone between pilots, is that something which tends
7 to be generalized now with the coming of radio-telephone
8 on all vessels?

9 THE WITNESS: Well in all circumstances.
10 I would say that the majority of pilots do make reasonable
11 use of the radio-telephone.

12 MR. JACQUES: Well did you sometimes see
13 a vessel on your radar screen and then communicate with
14 her through fog?

15 THE WITNESS: Yes.

16 MR. JACQUES: Well do you sometimes then
17 proceed instead of stopping?

18 THE WITNESS: Well I would say that at
19 moderate speed, that in fog we proceed at moderate speed
20 and then in certain parts of the area, if there are
21 only two vessels, we are the only two, we can establish
22 contact. We know what vessel it is and we make
23 arrangements.

24 I say I will go one mile south, or three-
25 quarters of a mile north. Well then the doubt has been
26 eliminated and there is no danger from a navigational
27 point of view.

28 Q. Well once again these exchanges are
29 done in French generally?

30 A. Generally, in the great majority of



1 French

2 cases.

3 Q. Well you have referred to VHF station
4 at Les Escoumains. Could you tell me whether this radio,
5 at the present time, is operational?

6 A. I cannot just say whether it is just
7 operating now, but it has not been operating for a long
8 time during this season and when I personally try to
9 communicate with Les Escoumains, I use the AM or I
10 communicate with very high frequency with the pilot
11 launches which are equipped with this.

12 Q. Well you said they were not operating
13 for a long time. Could you give us an approximation
14 of this period during which the station has been
15 inoperative?

16 A. Well I think that the installation
17 of the VHF ground installation at Les Escoumains started
18 last fall, very late or this year, and to my knowledge
19 is not operating.

20 Q. During your technical description,
21 I am thinking of the question of Mr. Mason, you have
22 stated that the buoys at the traverse of Orleans Island and
23 the distance was approximately 1,000 feet. Did you have
24 an opportunity to check with maps to see whether the
25 distance between the buoys is not greater than that in
26 the area that you have mentioned at the time?

27 A. Well your lordship I think there has
28 been an error of the interpretation. When I said one
29 thousand feet, when I said in the dredged channel a
30 minimum width of one thousand, when I said minimum width



1 French

2 it's between one side of the channel and the other side.
3 Of course on the same side it will be half a mile or
4 three-quarters of a mile or two miles. In certain
5 cases when I said minimum space it was between each side
6 of the channel.

7 Q. This morning in answer to a question of
8 Mr. Brisset's, you stated that a technical centre line
9 shown on the maps, particularly the map of the Quebec
10 Harbour should not be used as a definite criterion
11 as far as navigation is concerned and you added that
12 you could not testify concerning the experience of other
13 pilots in your District. Isn't it true that the same
14 experience would occur again or would happen again with
15 other pilots when they conduct their vessels in the
DD2 16 same region?

17 A. Well this has occurred your lordship.
18 Each pilot goes in accordance with the navigation
19 regulation and stays on the proper side of the channel.

20 Q. Well doesn't the vessel limit herself
21 to stay on the centre line of the Quebec Harbour?

22 A. That is correct.

23 Q. Mr. Brisset asked you a few questions
24 particularly concerning the advantages to have each
25 pilot keep a personal record book, or personal log book.
26 Now what are the troubles or difficulties with a log
27 book, for instance, if each pilot did it or was required
28 to keep such a record of all his activities, time
29 when he crossed a buoy in his District?

30 A. Well as I said this morning, I have



1 French

2 no objection to keeping such a log book but on the
3 difficulties, what I mentioned this morning: what is
4 more important for the pilot in dangerous conditions
5 is to take care of the vessel. He must take care of the
6 vessel rather than keep some record in a log book. It
7 is much more important, and at nightfall to keep such
8 a record would mean that a pilot would have to go in
9 a lighted place and he would, therefore, lose some
10 visibility when he came back on the bridge.

11 If he goes to the map room, for instance,
12 where there is some light, reads the map or the log
13 book in the wheelhouse, he will lose certainly some
14 visual form when he comes back.

15 THE CHAIRMAN: He could have a dictaphone
16 then.

17 THE WITNESS: Well if there is some advant-
18 age to keeping this log book up to date all the time.

19 Q. Do you consider the dictaphone and
20 the secretary as a disadvantage?

21 A. Well the dictaphone as a disadvantage.

22 Q. Well these disadvantages during the
23 nighttime, could you elaborate on this phenomenon? Is
24 it not true that officers on board a great number of
25 ships are required to stay for a certain time in the
26 wheelhouse before replacing the quartermaster, in your
27 experience?

28 A. Well this is a habit, although all
29 the quartermasters on a vessel, who have had some
30 experience, do their watch on the bridge, for instance,



French

10 minutes to 12, 5 minutes to 12 will get there vision used to obscurity or darkness, and of course, any navigator will corroborate if you come from intense light within five minutes you can see almost nothing. You are not used to the darkness and if you take your watch in places where there is dense traffic and navigation must be watched all the time, it is certainly a deficiency there and the pilot, more than the regular officer, should take the required precautions.

Q. At night when you carry out your duties in the wheelhouse is it completely dark?

A. Well as completely dark as possible according to the light switches around, but generally in darkness. Sometimes there is a pbrthole of a door open or closed. The light varies.

Q. You have mentioned a number of trips -- sorry, Mr. Brisset has mentioned a number of trips approximately that you have preformed during the last season. I think he mentioned a specific figure of 97 trips during the regular season. That is outside the winter navigation season.

Could you tell me, for example, how many times this year from the figures which are still fresh in your mind, did it happen to you that you had to take a vessel in places, in another place than the pilotage station than which you had during the previous trip?

A. Well this has happened to me very frequently. I must say perhaps a dozen times this year we have had to go over to Les Escoumains or Quebec by



1 French

2 bus or on the way -- or sometimes to Port Alfred and
3 Chicoutimi. This happened to me even the day before
4 yesterday in the morning where I had to go to Port
5 Alfred.

6 Q. When you say to Port Alfred, this
7 happened to you on Saturday morning and you went there
8 by bus. At what time did you leave?

9 A. Well the bus -- there was some
10 trouble. The bus company changed the schedule, the
11 timetable, without informing me and the dispatching
12 office. We leave about 8:15 and we get there at
13 Chicoutimi at 11:45. We take the other bus to Port
14 Alfred where we arrive sometime before 12. We left
15 at 1:20 in the afternoon.

16 Q. Where did you go?

17 A. To Les Escoumains.

18 Q. You took another ship?

19 A. Well I took another ship yesterday.

20 Q. You boarded it at Les Escoumains?

21 A. That is correct.

22 Q. Mr. Brisset also mentioned the partic-
23 ular qualities of the vessels of the Lauritzen Line which
24 navigate during the winter in Quebec. According to your
25 experience what is the period during which, in the
26 winter season, between the 1st December and 8th of
27 April of the following year during which you have the
28 most difficulty in relation to the winter season?

29 A. This period from the beginning of
30 December up to and including the first half of January



1 French

2 because I think that we have still some regular season
3 of vessels which are not equipped for winter navigation,
4 which have no reinforcement and haven't got the basic
5 electronic aids to navigation, and during this period
6 they will have all the troubles in these vessels which
7 are not adapted or fitted, and this has also happened
8 at the beginning of the early spring. I would say the
9 last week of March and the first week of April with the
10 regular vessels which travel along this District.

11 Q. Mr. Brisset also mentioned the fact
12 that he has testified himself on this important point,
13 that the special premium, insurance premiums going into
14 force the 20th of November.

15 THE CHAIRMAN: The witness has said I must
16 confess I made a mistake. It is the 25th of November.

17 Q. Based on this, would you say that the
18 winter season should be put back to the 25th of November?

19 A. I agree with what you said.

20 Q. The vessels that you have piloted
21 when you were an apprentice Captain Dussault were vessels,
22 if I am correct, which were already exempted according
23 to the regulations in the District of Pilotage and you
24 were an apprentice in the District?

25 A. That is correct.

26 Q. Did you notice the frequent presence
27 of small coastal vessels, home traders near Escoumains?

28 A. Well yes, I would say many coastal
29 vessels and home traders are quite relatively near to the
30 Pilotage Station of Les Escoumains, particularly upstream.



1 French

2 Q. Are these vessels going to Les
3 Escoumains to dock at Les Escoumains or who have something
4 to do in this District?

5 A. In the majority of cases, no.

6 Q. Do these home traders or coastal
7 vessels which go along to Les Escoumains create some
8 obstacle for navigation in this District?

9 A. Well to me it would be preferable
10 to limit the area of loading and unloading and boarding
11 generally so that none of them would be in this zone;
12 in half a mile, or one mile.

13 Q. Well do you think that the unjustified
14 presence of such vessels could endanger the safety of
15 navigation near the Pilotage Station?

16 A. With poor visibility and fog, I
17 would say yes it is dangerous.

18 Q. When you bring a vessel to dock in
19 Quebec how is the vessel moored? Do you have mooring
20 lines thrown to a tugboat or on board? Are they thrown
21 directly to the pier?

22 A. The great majority of cases, with a
23 few exceptions, four lines, mooring lines are thrown
24 directly from the vessel to the pier and in the case of
25 Irving, the Levis-Champlain tugboats
26 or launch, they help us to bring the mooring lines to the
27 pier.

28 Q. Is this way of throwing mooring lines,
29 does it force you to get closer to the pier than if you
30 were throwing them to a tugboat or launch boat?



1 French

2 A. Certainly.

3 Q. Well concerning the digging of a
4 theoretical channel, south of Orleans, particularly in
5 the south channel, you have said that there would be
6 a different cost, considerable difference between the
7 two projects but you have not indicated, according to
8 hearsay, or what you have heard on this which one would
9 be the most expensive.



RPS

1 French

2 A. Well, your lordship, I am not an
3 expert about civil engineering, but it is obvious that
4 the digging of a channel south of Ile de Coudres would
5 be more expensive than the dredging we have asked to
6 include or restore the south channel as it is now.

7 Q. Captain Dussault, I now hand over to
8 you a copy of a memorandum presented by the Federation
9 of St. Lawrence Pilots to the Royal Commission on
10 Maritime Pilotage. Did you look into pages 33, 34, 35,
11 36 and 37 in this memorandum, particularly paragraphs
12 72 to 87 inclusive, concerning the Quebec District?

13 A. Yes, I did.

14 Q. In your opinion do the descriptions
15 contained in these paragraphs constitute faithful
16 descriptions of the features and describe the navigation
17 in your Pilotage District?

18 A. Well, this is a faithful description
19 of the features, but it is a summary description.

20 Q. Well, summary, yes, I understand you
21 haven't been in the box for three days for nothing.
22 Thank you Captain Dussault.

23

24 CROSS-EXAMINATION BY MR. MASON

25

26 Q. Captain Dussault, arising out of
27 your cross-examination by my friend, Mr. Lalonde, do
28 I take it that you feel it is essential, and maybe I
29 misunderstood the translation, for the safety of all
30 vessels navigating in your District that all vessels



1 English

2 have on the bridge a French-speaking officer?

3 A. I don't think I used the word essential,
4 sir, but I used the word -- it would certainly be a
5 very great advantage for safety of navigation.

6 Q. It would be useful?

7 A. Very useful, I would say.

8 Q. If I may be permitted one question
9 arising out of your cross-examination by my friend,
10 Mr. Brisset: You referred to requalification examinations
11 for pilots who had been off for a period of time. Do
12 you know when a pilot would have to submit himself for
13 a requalification examination?

14 A. If I am not mistaken, sir, the rule
15 as it now stands -- I stand to be corrected on that by
16 the D.O.T. rulings, if a pilot is absent for more than
17 two years, two full seasons that the Department of Trans-
18 port at their own discretion can ask for a full new
19 examination of the pilot. This, is, of course, at the
20 Department of Transport's discretion, and I believe that
21 two years is the time mentioned. I stand to be corrected
22 on this.

23 Q. Would this examination be comparable
24 to the original examination he took when qualifying for
25 his licence?

26 A. I have had nothing to do with the
27 examination personally, but I would believe it would be
28 a brand new examination just like the entrance exami-
29 nation given to new pilots.

30 Q. You mentioned that a pilot to be a



1 English

2 competent pilot must keep his hand in, so to speak. You
3 indicated that perhaps a pilot who only made three or
4 four trips per season for several seasons might not be
5 as competent a pilot as a pilot who made numerous
6 trips during the seasons?

7 A. Yes.

8 Q. Let us say he made three or four
9 trips per month, per season for several seasons, would he
10 be a competent pilot in your opinion?

11 A. Well, if he kept abreast of develop-
12 ments.

13 Q. That is assuming that he read the
14 Notices to Mariners and listened to Notice to Mariners'
15 broadcasts?

16 A. I should answer truthfully that man
17 could be a good pilot, and compare this to a truck
18 driver that goes over the same road every day and knows
19 all the bends and only goes down the road once a month
20 and he will drive his course fairly well but he might not
21 do as good a job as the man who goes every day and knows
22 what to expect and fixes speed accordingly.

23 Q. Would you feel then to expand the
24 matter one step further if a master of a vessel submit-
25 ted himself for the pilotage examination and passed
26 that examination and thereafter made three or four
27 trips per season for several seasons or as long as he
28 wished to be in that particular trade, would he be a
29 qualified pilot or would he be competent to be a pilot?

30 A. I would think he would be qualified



1 English

2 if he kept abreast of everything. I would consider he
3 would be a competent pilot.

4 Q. You mentioned at one stage that on
5 one occasion you were asked by a master of a vessel up-
6 bound to pass to the south of Red Island and you named
7 the vessel as being the JOHN O. McKELLAR. Can you give
8 me the date when this happened?

9 A. No, sir. I can't recall but I could
10 from the record.

11 Q. I suggest to you it was the early part,
12 perhaps, of 1960. Would that be right?

13 A. No, sir, 1962, sir. I mentioned
14 last season. I believe I only had the JOHN O. McKELLAR
15 once last summer, so from the Department records that
16 could be ascertained.

17 Q. Did this happen on other occasions that
18 you were asked to go to the south of Red Island when
19 upbound?

20 A. Not personally. This has only happened
21 once, but I have heard, and this is just hearsay, that
22 other pilots have been asked the same.

23 Q. Do you know if it is the policy with
24 this one particular company that operates this vessel?

25 A. No, I would say what I know from
26 hearsay that there is another foreign-going ship firm
27 that did the same things in the past years.

28 MR. MASON: Thank you very much.

29 THE CHAIRMAN: Mr. Brisset. Will you speak
30 in French?



English

MR. BRISSET: No, I will have a go in English.

RE-CROSS-EXAMINATION BY MR. BRISSET:

Q. Captain Dussault, there is one point I want to deal with. You, I think, have said that the area in which the pilots would be relieved at Escoumains should be determined for safety of navigation?

A. I think this would be a wise precaution. It might be essential. I think if the pilotage area, pilotage grounds as it is called known which is a practice in many large foreign Ports, an should be established, and a vessel which had no business-- pilots would sort of keep clear. It doesn't have to be a very big area, let us say a radius of a mile and a half using the wharf as the centre of the radius would be a fine idea.

Q. Would you also advocate that the limits of this area be shown on charts being available to navigators?

A. I would, sir.

Q. Would it not also be an advantage to the ships coming into Les Escoumains to take a pilot or leave a pilot to know exactly where and in which area they have to go?

A. This is also part of the idea.

Q. You also mentioned the anchorage area on chart N_o. -- I think it is 1201 or 1207, the entrance



1 English

2 to the Saguenay River?

3 A. 1204.

4 Q. I think you have indicated this
5 anchorage area on chart 1204, Exhibit 435. Would you
6 also advocate that for the safety of navigation this
7 anchorage area should be indicated or shown on the chart
8 as it is done in other places in the river?

9 A. It would be a good idea.

10 THE CHAIRMAN: There are two anchorage
11 areas there.

12 MR. BRISSET: Q. You would advocate that
13 they be indicated on the chart?

14 A. It would be a good idea and, anyway,
15 there is an abbreviation sign, a very small anchor that
16 is in many places on the charts. There is nothing against
17 it.

18 THE CHAIRMAN: As far as I can see they
19 also underline the navigation.

20 THE WITNESS: Like I mentioned earlier this
21 morning, in my previous testimony anyway, this one marked
22 R.P. on rock patches, personally I would prefer the one
23 on the rail of Red Island, on the reef, because parallel
24 here to this channel entering the Saguenay a ship in
25 dense fog or dirty weather, this might lead to confusion
26 with other ships navigating on radar.

27 MR. JACQUES: When you say here?

28 THE WITNESS: I would prefer the anchorage
29 indicated by the letter Q to the one indicated by the
30 letters R.P.



1 English

2 MR. BRISSET: Q. Now, going further up
3 river you were asked your views on the dredging of the
4 channel south or west of Red Island to connect the
5 north and south channels there. From your experience
6 are you in a position to say whether, in your opinion,
7 if such a channel were dredged it would likely silt up
8 in view of its angle across the channel, and by silting
9 up I mean silting up quite quickly?

10 A. Well, by just looking at the chart
11 as it stands, checking the features now as they exist
12 I think this would be so, sir. I would concur with your
13 idea. Naturally it is very deep and all of a sudden with
14 the bank it is raised up in quite a large shoal. I would
15 think it is an indication of the way nature works there
16 that if you did dredge it it would fill up and you would
17 have to keep maintaining it. There is quite a possibility
18 of that.

19 Q. In your opinion it would be not only
20 costly to dredge, but also costly to maintain?

21 A. I wouldn't like to raise too much of
22 an opinion here. I am not a civil engineer. I am a
23 pilot.

24 Q. I make a suggestion here that this
25 is another reason that you rather favour the maintenance
26 of the south channel?

27 A. Not so much for that reason, but for
28 the reason I gave previously, by having this -- you would
29 naturally have a small part of the channel here, dredging
30 this and keeping the channel here wouldn't eliminate the



1 English

2 troubles of the narrow channels and the close meeting
3 situation that you have got from Cap Coudres to St. Jean,
EE2 4 Orleans Island -- if you kept the south channel you have
5 the advantage of having both channels, total length
6 channel eliminating all those other close quarter conditions.
7 This would be the main advantage of having the south
8 channel restored.

9 Q. Now, during the course of your
10 evidence, especially during your cross-examination today
11 you have spoken of schooners travelling in the track or
12 on the track of steamers in your District and shown the
13 dangers of this practice. In this regard I would like
14 to quote for the moment Regulation 8 of the Regulations
15 for the St. Lawrence River Charts:

16 "Vessels drawing nine feet of water
17 "or less and barges and rafts shall at all
18 "times keep to the proper side of the
19 "fairway and away from the established
20 "steamer track between Quebec and Father
21 "Point except when crossing the steamer
22 "track at right angles".

23 Are you aware of whether those Regulations
24 are strictly enforced by the appropriate authorities?
25 Have you heard of any case where the ship has violated
26 it and been fined?

27 A. No, sir. I am not aware of any such
28 happenings.

29 THE CHAIRMAN: Are you aware of any report?

30 THE WITNESS: There is no doubt there have been



1 English
2 some reports of that. I have never heard of anybody
3 being fined. They may have been warned to be a little
4 more careful in the future, but I think that is the extent.

5 MR. BRISSET: Q. Keeping this regulation
6 in mind, Captain, and accepting as correct the information
7 I want to give you before asking your opinion: I would
8 like to mention to you in the last four or five years
9 I have been called upon to investigate collisions between
10 steamers and little schooners on the steamer track, and
11 when they were told or accused of having breached the
12 regulations the answer was my draught was 9 feet 2
13 inches; my draught was 9 feet 4 inches; my draught was
14 9 feet 5 inches and therefore I haven't breached the
15 regulations. Keeping this in mind, and your knowledge
16 of the waters of your District would you think that these
17 regulations could be improved by increasing the draught
18 slightly, say to 10 or even 12 feet?

19 A. It possibly could well be done.

20 Q. Including, perhaps, if I may suggest
21 it, the length of the ship, provided the ships are less
22 than 150 feet in length?

23 A. Yes. It is pretty hard to answer.
24 I mean you would find agreement if you wanted to make
25 the draught even less. I would suggest here that the
26 regulations could be improved because there is no doubt
27 that a large number of small vessels are a hinderance
28 to the big ships navigating, and create dangers on
29 several occasions. There is no doubt that these regul-
30 ations should be looked at in any case.



1 English

2 Q. With the water available in your
3 District the draught could be over nine feet?

4 A. It could be in most cases.

5 Q. And leave enough water for these
6 vessels outside the steamer track?

7 A. Yes, sir.

8 COMMISSIONER SMITH: I wonder if in the
9 Cannon report, if he made any recommendation touching
10 that very angle that you mentioned?

11 MR. BRISSET: I couldn't say offhand, my
12 lord. I believe at the time a number of these ships
13 were reported as being nine feet or less, and perhaps
14 that is why nine feet has been selected or was selected
15 at the time these regulations were passed.

16 Q. One more question: You were questioned
17 at length on the currents in the vicinity of Beauport
18 Shoal and told us of strong ebb tides and downbound
19 vessels could change course at a spot which we have
20 marked -- you have marked with a red cross and circle.

21 A. That is right, approximately abeam
22 of the breakwater at the entrance to the St. Charles
23 River.

24 Q. This is on chart 1321, Exhibit 442.
25 A normal pilot, on what course would you be when you
26 reached the point?

27 A. The average course there -- the mean
28 course of the centre line would be 0182, but I would say
29 ships in practical cases -- we might be relieving another
30 pilot more to the centre line, so we wanted to get our-



1 English

2 selves well to our south. I would say most pilots would
3 steer something like 025 more than anything else.

4 Q. Am I correct in stating from 18 or
5 25 you would go to 92 or thereabouts while navigating
6 that portion?

7 A. That is correct, 80, 18 25 -- if you
8 were more to the centre by the time you were abeam of
9 St. Charles breakwater entrance you would have to come
10 all the way around and 092 would just about be the
11 course you wanted to have your vessel set on as you are
12 abeam of buoy 87-1/2B.

13 Q. That is the course that takes you
14 out of the limits of the Harbour of Quebec; is that
15 right?

16 A. That is right.

17 Q. One more question again on the strong
18 ebb tide. Would you tell us where the current will throw
19 your vessel, and speaking of a downbound vessel, in the
20 bight of the curve which is approximately abeam the
21 dry docks at Lauzon, where will the current throw your
22 vessel?

23 A. Well it will throw you in a general
24 direction -- let us say you were just in the bight, that
25 is off the Lauzon shipyards there, I would say that the
26 current at that spot downbound, straight on West Point
27 at that spot. Then if you pass just a little further
28 start to recurve and take
down it would /// you more around on the channel line.
29 On that one spot which you indicate the currents would
30 have a tendency to throw you to West Point. As you come



1 English

2 to the lower part of the shipyards the currents will
3 start to recurve and bring you more into the channel.

4 Q. Assume you have a spring flood tide,
5 strong tide and coming into the Harbour of Quebec, an
6 upbound ship, where will the tendency of the current be
7 to throw your vessel?

8 A. I would say the flood here has a
9 tendency to throw you towards the bank, to the north
10 part of the channel.

11 Q. In other words towards Beauport Shoal?

12 A. It would have a tendency to throw
13 you about here.

14 THE CHAIRMAN: When you say here ---

15 THE WITNESS: Just past Orleans turning
16 West Point.

17 MR. BRISSET: Q. When you are in the bight
18 of the curve or abeam Champlain dry dock where would it
19 throw your vessel?

20 A. More with the channel because at this
21 time you are also being caught by the bight coming in
22 from north of Orleans Island. At this point as you
23 mentioned the tide has a tendency with the current to be
24 straight up, parallel.

25 Q. One more question, pilot, in this
26 small booklet called Personal Pilotage for a Complete
27 Year, Exhibit 668, I find that this book was prepared
28 by a pilot called Paul E. Cloutier. I understand he
29 is still an active pilot in your District?

30 A. Yes.



1 English

2 Q. Do you know when this book was first
3 prepared and distributed to the pilots for their use?

4 A. Several years ago, something like
5 eight or nine, close to 10 years.

6 Q. I take it Pilot Cloutier is one of
7 the senior pilots or older pilots in the District?

8 A. Oh, yes, sir, and a very good one,
9 I might say.

10 Q. Have you ever noticed on the first
11 page of the book there is an illustration given for a
12 trip from Port Alfred to Father Point. Do you recall
13 having seen that?

14 A. Yes, sir.

15 Q. Have you noticed, leaving aside the
16 point of departure and the point of arrival there are
17 only eleven landmarks that are noted in the course of
18 the trip, and therefore it is not every buoy, but I
19 assume only principal landmarks are noted?

20 A. That is correct.

21 Q. Would you still say making eleven
22 entries on a trip of, I believe, eight or nine hours will
23 be such a chore to make the pilot unfit to take his
24 decisions on the way?

25 A. Well, I don't believe I said it was
26 a chore. Unfit -- of course, in clear weather or in
27 daylight hours you could do this standing on the bridge
28 at the same time. It only takes seconds to make an
29 entry. If it is nighttime and in conditions of poor
30 visibility where I object to having to keep it. As I



English

said this morning I have no objection and I even recommend keeping these things. For apprentices while serving apprenticeship I think it is an opportunity where they can keep up with their work, as I said, but I mean for a fully-qualified pilot to have to keep this -- this is what I don't want. I don't want it compulsory. I recommend to everybody that wants to keep one keep one but to be shoved down our throats, I don't want that.

Q. This morning you said in bad weather or fog you were more inclined to keep a record of your times at certain places rather than in good weather.

Did I understand you correctly?

A. I might have done so, I believe, twice a year. I keep my records in my head for one trip. I think most pilots should be able to remember at least an hour back.

Q. If they are asked a question about a month or a year later?

A. We always wish not to be asked any question at any time afterwards.

RE-DIRECT EXAMINATION BY MR. LALONDE:

(THROUGH THE INTERPRETER.)

Q. I would have one or two questions in connection with this. That is why I let you go for great length. I would like to ask you as regards to the captain of my colleague, Mr. Mason, that is the one who does the two or three trips a year or per month,



1 French

2 I don't know which anyway -- how many years of apprentice-
3 ship had you yourself before you became a pilot?

4 A. More than five years.

5 Q. How many years of apprenticeship at
6 the present time is required from the apprentices of
7 today?

8 A. Well, according to the new regulations
9 three years' apprenticeship.

10 Q. When you undertake trips within your
11 District I understand you stay on the bridge constantly?

12 A. That is true.

13 Q. According to your experience do you
14 think ships' masters stay on the bridge constantly?

15 A. Very seldom.

16 THE CHAIRMAN: I understood that the
17 hypothesis of Mr. Mason indicates the ship's master would
18 stay there constantly.

19 MR. LALONDE: I understand, my lord, it
20 isn't . . .

21 THE CHAIRMAN: According to Mr. Mason's
22 hypothesis in that case he would. He would do it, only
23 one District at a time.

24 MR. LALONDE: Q. I think you have to face
25 in the problem, for how long is he going to be able to
26 go on remaining on the bridge as pilots do. When you pass
27 the examination in order to become a pilot I understand that
28 you are already through with your apprenticeship?

29 A. Yes.

30 Q. According to this system do you have



1 French

2 to be examined while you are undergoing your apprentice-
3 ship?

4 A. Not while I was doing my apprenticeship,
5 but the present regulation requires an annual examination
6 of apprentices.

7 Q. According to your experience do you
8 think the long years of apprenticeship, that the more
9 trips you do within the District is more important than
10 the examination itself?

11 A. I lost the first part.

12 Q. Do you think the long years of apprent-
13 iceship with frequent trips within the District are
14 even more important than the examination itself which
15 has to be passed?

16 A. Well, I think the practice of
17 pilotage is far more important than the examination
18 itself.

19 Q. So, according to you it is the daily
20 training which is acquired from the apprenticeship which
21 is most important?

22 A. I would say it is what makes a good
23 pilot.

24 MR. LALONDE: Thank you.

25 THE CHAIRMAN: Mr. Mason would like to add
26 something.

ish 27 MR. MASON: My friend, Mr. Brisset, introduced
28 in his argument or his remarks this morning voiced
29 approval of the Shipping Federation of the pilots'
30 feeling, as it were, or discussions of the advantages of



1 English

2 retaining the services of the pilot. I cannot resist
3 the temptation at this time to voice the approval of
4 the Dominion Marine Association to any saying that today
5 too many things are being made compulsory.

6 MR. JACQUES: Including Pilotage, I would
7 suppose.

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30



R/RPS 1 English

2 In relation to the loss of licence through
3 stoppage of work, I think that the witness was thinking
4 about Section 356 of the Canada Shipping Act which states
5 that any pilot who does not act as a pilot for two con-
6 secutive years should lose his licence until the Depart-
7 ment decides to restore his licence. I am under the
8 impression again that certain pilots who are in the room
9 would like to ask a few questions of Captain Dussault.

10 THE CHAIRMAN: Very well. At any rate I
11 must say any person who is in the audience may ask
12 questions. The normal procedure naturally is to wait
13 for the counsel to ask all their questions because you
14 have 99 questions out of a hundred, and they will ask
15 all the questions. At any rate, if there is any addition-
16 al matter that you would like to raise, do not hesitate
17 to ask for the floor and it will be given to you.

18 (MR. MAURICE KOENIG COMES FORWARD.)

19 MR. KOENIG: My lord, my name is Maurice
20 Koenig. I am a Pilot in the Quebec District and on the
21 strength of what you stated last week, my lord, to the
22 effect that anyone who had a few questions to the
23 witness was at liberty to request your permission to ask
24 them, I do so now.

25 If it please the Commission, these questions
26 may take a few minutes. I don't know, perhaps half an
27 hour, forty-five minutes.

28 THE CHAIRMAN: Oh well, it isn't that I
29 want to limit you but right now I myself have a few
30 questions I would like to ask. I was waiting to the end.



1 English

2 Will you be available Captain Koenig tomorrow morning?

3 MR. KOENIG: Yes my lord and I wanted to
4 make sure that you retained the witness, if possible.

5 THE CHAIRMAN: In that case we will ask
6 Captain Dussault to remain here because, as far as we
7 are concerned, we have had a good day also and have a
8 meeting right up to 6:30 and I think that since we are
9 going to adjourn, I am very sure quite a few are going
10 to think of a few questions and we will have a good
11 morning with Captain Dussault.

12 MR. KOENIG: Thank you my lord.

13 THE CHAIRMAN: We will now adjourn until
14 tomorrow morning at 10:00 o'clock.

15
16 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

17 TUESDAY, THE 17TH DAY OF

18 SEPTEMBER, 1963.

19
20 * * * * *

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

QUEBEC CITY
QUEBEC

VOLUME No.:

65A

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Court House,
Quebec City, Quebec, on the
17th day of September, 1963.

THE COMMISSION:

The Honourable Mr. Justice Bernier,	Chairman
Robert K. Smith, Esq., Q.C.,	Member
Harold A. Renwick, Esq.,	Member
Mr. Gilbert Nadeau,	Secretary.

COMMISSION COUNSEL:

Mr. Maurice Jacques

Mr. Leopold Langlois, Q.C., for the Canadian Merchant
Service Guild.

PRESENT:

Mr. J. Brisset, for the Shipping Federations
of Canada.

Mr. J. M. Jacques, for the National Harbour
Board.

Mr. C. Mason, for the Dominion Marine
Association

Mr. Marc Lalonde, for the Federation of St.
Lawrence River Pilots;
Corporation of the Lower
St. Lawrence Pilots; the
Corporation of the Mid-St.
Lawrence Pilots; the
Corporation of the Montreal
Harbour Pilots; the
Corporation of the St.
Lawrence River and Seaway
Pilots; the Corporation of
the Upper St. Lawrence
Pilots.

Captain J.S. Scott Technical Advisor to the Commission.

Captain F.S. Slocombe, for the Department of Transport
and liaison officer.

- - - - -



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Quebec City, Quebec 7806
Tuesday,
September 17th, 1963

/RPS 1 French

2

3 ---ON COMMENCING AT 10:00 A.M.

4

5 THE CHAIRMAN: Mr. Koenig you may ask questions
6 of the witness. You have seen how the counsels proceed,
7 and naturally your role is to ask only questions and
8 not to give evidence because at times we may have trouble
9 with persons who are not counsels. Consequently you
10 are requested to ask only questions and not to present
11 evidence because you had your opportunity to offer
12 evidence.

13 MR. KOENIG: Thank you sir.

14

15 CAPTAIN MICHEL DUSSAULT, Recalled

16

lish 17 CROSS-EXAMINATION BY CAPTAIN KOENIG:

18 Q. Now Captain Dussault you hold, I believe,
19 a master's certificate, foreign-going vessels?

20 A. That is correct.

21 Q. You also hold a pilot's licence which
22 was issued to you on February 19th 1958 I believe?

23 A. That is right.

24 Q. This was the same year, or was it not,
25 that the President of the Federation was issued his own
26 licence?

27 A. I believe so.

28 Q. Now referring to chart 1321, the Harbour
29 of Quebec, I point out to you here the inner basin,
30 the Princess Louise inner basin. At what stage of the



1 English

2 tide would you expect ships to come out of there?

3 A. Well they will come out of, of course,
4 there just prior to high water.

5 Q. Say one hour or two before the time
6 of high water?

7 A. Approximately, yes. This will depend
8 when the gates will open.

9 Q. And those ships, after they clear the
10 lock gate here (indicating) and start proceeding to
11 come out from the outer basin into the river, they
12 have to get up a bit of speed and steerageway, don't
13 they, to come out of there?

14 A. Yes. That is the usual practice.

15 Q. And so when they are in the gates
16 here they have some headway on ---

17 THE CHAIRMAN: What do you mean "in the
18 gates"? You mean coming between the inner and outer
19 basin ?

20 THE WITNESS: He means the entrance to
21 the outer basin into the river your lordship.

22 CAPTAIN KOENIG: You see your lordship
23 when they come out of the main gates ---

24 THE CHAIRMAN: I wanted you to be precise
25 for the record because we don't see on the record where
26 you are pointing to the chart, you see.

27 CAPTAIN KOENIG: Yes sir.

28 Q. Now when the ship is about to actually
29 come out into the river, that same vessel has some
30 headway on and she can't very well stop there. She has



1 English

2 to keep going. Normally these ships go down the river.
3 Occasionally go up the river.

4 Now let us reverse the position and you
5 are a pilot on a ship coming up the river say into the
6 Harbour at that particular stage of the tide. Now
7 you have some speed on your own vessel, even at
8 regulation harbour speed of eight or nine knots and
9 with the flood behind you your vessel is not very easily
10 controlled is she?

11 A. I don't see why not. May I correct
12 you here? I think you are wrong. The regulation speed
13 in Quebec Harbour is not nine knots; it's not more
14 than nine knots, which makes a difference.

15 Q. All right then.

16 A. I still think if you are handling a
17 a ship with a speed of three to four knots, if you
18 know how to handle a vessel it can be handled very easily.

19 THE CHAIRMAN: Even in the flood?

20 THE WITNESS: At four knots, why not sir.

21 THE CHAIRMAN: It's going about an actual
22 speed of, as far as the shore is concerned, of about
23 six to seven knots?

24 THE WITNESS: With the ground, possibly sir.
25 You can handle your ship -- I think you can ask any
26 witness who would be an expert in slow ship handling
27 and lake masters will do this day in and day out. I
28 think you can get some very good information on this,
29 and I think it would be just about the same.

30 Q. If it please your lordship and the



1 English

2 court, the point was missed here. I was a bit slow in
3 coming to the end of my question. If you are a pilot
4 on a ship coming up river, I will omit the other
5 details, would you not feel better if you knew whether
6 a ship is coming out or about to come out of that
7 basin? Wouldn't you feel better?

8 A. I would feel better, but there is
9 already a way of knowing. There is a regulation that
10 says that every ship about to come out of the basin
11 should blow a signal consisting of two long blasts
12 and usually ships do blow that signal and if you are
13 upbound, coming up, the first thing you do is reduce
14 speed, keep a good lookout and listen for that signal.
15 If you hear the signal a ship is about to come out, and
16 you take the usual precautions.

17 Q. Does it not happen that you sometime
18 miss those signals, don't always hear those signals?

19 A. It is possible.

20 Q. You are aware that for quite a number
21 of years the directors of the pilots throughout the
22 years have recommended to the Harbours Board here
23 that a signal be posted, not all over the river but
24 simply at that corner here (indicating), a signal
25 that possibly could be operated by the same man who,
26 say, lifts the bridge and it would not be a very
27 costly proposition, I don't think and especially at
28 night where there are so many other things on your
29 mind: You have been watching green and red lights
30 all over the harbour. The ships have been coming down



1 English

2 on top of you at the last minute and you are a bit
3 leery, very often, when you come into the Harbour and
4 don't you think it would be a good idea to have some
5 sort of flash signal here?

6 A. It would be a good idea. As a matter
7 of fact, the present directors have in many instances
8 recommended an installation of such a light.

9 Q. Now let us go up to the Irving Oil
10 Terminal. I believe it is on the next chart your
11 lordship. I don't think there is any need to look at
12 the chart. I am only going to mention the dock itself.

13 Now you are familiar with oil tanker
14 installations all over the world. Now with a lot of
15 docks, generally speaking in the Tropics especially
16 are built a certain way, not necessarily an expensive
17 way. Don't you think now, without altering the actual
18 Irving Oil pier, that two bunches of pilings could be
19 erected, say one just west of the upper corner and
20 the other one just east of the upper corner so that
21 a large vessel coming in could come to rest against
22 those pilings?

23 A. Of course, we would more or less go
24 along with you on that. I have testified about that
25 a couple of days ago when I said that their dock would
26 be very much improved. This would be part of the
27 improvement, of course.

28 THE CHAIRMAN: By adding some dolphins?

29 THE WITNESS: That is correct.

30 CAPTAIN KOENIG: And dolphins such as those,



1 English

2 your lordship, are not expensive. Very elastic.

3 THE CHAIRMAN: We have seen that in the
4 west coast especially.

5 Q. And the real danger alongside that
6 pier is it not that with the stern of the vessel has
7 a tendency to sort of drift on to the rocks?

8 A. That is a danger in docking there.

9 Q. And if they were still too stingy to
10 erect two packets of pilings, they could erect at least
11 one near the port quarter of the vessel. That would
12 simplify matters wouldn't it? Just one set of pilings?

13 A. Any of those installations would,
14 of course, be an improvement.

15 THE CHAIRMAN: With regard to dolphins what
16 would be the fear with the dolphins with the ice?

17 THE WITNESS: Well the biggest danger would
18 be the formation and in the spring, at the breakup.
19 I would think that ice, once they are well-encased in
20 ice, after a certain period will more or less be
21 broken by the ice, even further out. There would be
22 a great danger while the ice is being formed and it is
23 still heavy enough to drag them off or at the spring
24 breakup they could be lifted with the spring tide,
25 or something like that.

26 THE CHAIRMAN: The Commission were around
27 in many harbours of the St. Lawrence and we have not
28 seen any dolphins here. We were wondering why but on
29 the other hand we have seen many blocks of wharves,
30 you know, just sections of wharves here and there.



1 THE WITNESS: That is correct.

2 THE CHAIRMAN: This could very well be the
3 reason, the ice.

4 THE WITNESS: I would point out to your
5 lordship Contracoeur they have an installation which
6 could be very well followed by Irving people that would
7 be quite an improvement. They have this same idea as
8 a dolphin but they just build them out of cement and
9 steel pilings.

10 MR. LANGLOIS: I can remark at this time,
11 your lordship, that the question of installing dolphins
12 depends very much on the penetration to the ground.

13 THE CHAIRMAN: Of course.

14 Q. Now Captain Dussault I am going to
15 ask you a question with relation to docking in the
16 Harbour. Last Friday I left the courtroom here and
17 I went to my home and I was called by the Pilot Office
18 to go and take a ship. That ship had to leave here
19 from Wolfe's Cove Terminal and had to go into the
20 St. Charles River at pier 30, right up in the corner.
21 I was asked to be aboard by 1:30 in the afternoon.

22 The tide was high at four o'clock in the
23 afternoon. Would you say that was about half flood
24 and a good stage of the flood?

25 A. Yes, the tide was flooding there.

26 Q. Now you needn't answer if you wish,
27 but what would you have done in my place? From your
28 own personal opinion and your own personal way of doing
29 the things?

30 A. Would you please state what type of



1 English

2 ship you had and what were the weather conditions then?

3 Q. Weather conditions were good. This
4 was the HUDSON TRANSPORT. She is ---

5 A. I know the ship.

6 Q. --- a medium sized tanker. I am not
7 asking you how would you have done it. My question is
8 would you have gone and done it at that particular
9 time?

10 A. You said the weather was good. I
11 mean does it mean the wind was light, from the west
12 or something like that?

13 Q. No wind that I know of.

14 A. Simple matter. You just take the
15 ship and dock her there.

16 Q. You would have done it?

17 A. Of course. Why not?

18 Q. Thank you. Now I should like to
19 look at the chart 1208. I think it's the next one down
20 from the Harbour of Quebec.

21 MR. JACQUES: Which is Exhibit 441 my lord.

22 Q. You are no doubt aware that there
23 was a time -- I am sorry my lord if I have to go back
24 a few years -- when the bulk of the traffic was using
25 the south channel, up and down? The bulk of the traffic?

26 A. Yes.

27 Q. I am referring to, say, the period
28 before the first war where no dredging was necessary
29 at all in the south channel. Where the official depth,
30 which we mean low water ordinary spring tides, were



1 English

2 indicated as being over a bar from 24 to 36 feet, at
3 that particular time, that is in the Beaujeu West
4 Narrows, the spot that was occupying our minds yesterday.
5 In addition to that, there was a light vessel in the
6 place of buoy 56. There were two or three times the
7 number of buoys that you find today. It was considered
8 a good channel by the pilots at that time and then we
9 go on to, say, during this last war, 1943. The north
10 channel had not been dredged at all since 1930. Depth
11 was still indicated in the official notices as 24
12 feet. So, in addition to that there was a semaphore
13 on the end of Crane Island pier indicating a depth in
14 that particular cut and in Beaujeu at any stage of the
15 tide. My question is don't you think that it might be
16 a good idea, might be an interesting idea, since there
17 are a lot of ships drawing more than 30 feet, 30 feet
18 being the official depth in the channel up to buoy
19 112, don't you think it would be a good idea if the
20 depth was indicated by a modern sort of semaphore on
21 St. Jean so that ships, in addition to their own
22 information or their own tide tables, would have the
23 satisfaction of verifying on that tide pole the actual
24 depth of water in that channel and they will decide
25 whether they anchor or not and wait for the tide?

26 A. You have to install one at both
27 ends of the dredged channel. Have to have one some-
28 wheres around Cap Grisbane and another one at St. Jean,
29 or thereabouts. It would be an indication but I still
30 think that every pilot with the tide tables that are



1 English

2 available today -- could be an indication. It would
3 just be double checking. It would be a double check
4 on your own information, on your own findings. It's
5 just a question of money, I suppose. Have to spend
6 the money to build these installations.

7 Q. You have, I dare say like most pilots,
8 a way of calculating mentally the rise of tide for
9 a given time, say two hours flood, three hours flood
10 would mean so many more feet of water in that channel?

11 A. Yes.

12 Q. The masters of the various ships may
13 not have exactly the same idea so if they were in a
14 position to also look at that tide pole and come to a
15 decision, wouldn't it do away with an instance like this,
16 for instance: I don't like to mention it, but I know
17 of one case where a vessel left Quebec with a young
18 pilot aboard. Now amongst the young pilots there are
19 some good pilots, some bad ones, some average ones.

20 Now the master mentioned his draught and
21 he asked him are you going to anchor or not going to
22 anchor? This young pilot looked at his watch. I am
23 not too sure that he wasn't smoking a cigar. He said
24 oh we will take a chance captain. We will take a chance.
25 I repeat you the text from the master and I have no
26 reason to disbelieve him. Don't you think it might
27 do away with that sort of thing if the master could
28 verify the high water?

29 A. All that has been related in this
30 question your lordship is just hearsay. It is hearsay



1 English

2 on the part of the man asking the question and it is
3 hearsay from my part. Hearsay from A to Z.

4 THE CHAIRMAN: As far as we are concerned,
5 it is a hypothesis because, of course, we have no
6 evidence that this occurred but let's take the hypo-
7 thesis as presented to you. What would you say?

8 THE WITNESS: Well if such a thing was to
9 happen, of course, I mean the master could check him-
10 self on the tide pole. Of course, this would have to
11 be an illuminated one because half of these cases
12 happen at night, or have to be a watched signal of
13 some kind which would entail the use of quite a number
14 of people if you are going to keep a 24-hour watch
15 there.

16 THE CHAIRMAN: What the question is really
17 is do you think it is a necessary thing as far as
18 navigation is concerned?

19 THE WITNESS: It would be, let us say a
20 slight improvement but I don't believe it is a
21 necessity.

22 Q. Now let us go to another question.
23 During winter navigation in the place of buoy 112 here
24 at the end of the North Traverse, a winter spar is
25 generally placed isn't it?

26 A. Yes, that is correct.

27 Q. Now doesn't it often happen, isn't
28 it your experience in the winter, due to heavy ice that
29 spar very often is lifted out of position?

30 A. That is correct. I testified to that.



1 English

2 Q. Don't you agree that it is a very
3 important point, I mean you are coming down and you
4 would be very glad to get out of that sector, and you
5 like to be sure, especially at night, that you don't
6 run over this particular spar. Don't you think it
7 might be a good idea, and again not too costly an
8 idea, to erect a small pillar in the place of buoy 112,
9 say something similar to Algernon Rock, that would
10 be a fixed beacon which will never be affected by
11 ice or anything else, and you could rely on it?

12 A. I would say that while I am thinking
13 about this -- it looks good -- I think such a pillar
14 would be more of a hinderance, generally speaking. You
15 only use it for a very short period of the winter;
16 for a very limited amount of vessels, and then you
17 still have that pillar in your way. That is a hinder-
18 ance to navigation, especially to small craft navigating
19 throughout the whole of the season. For 10 months of
20 the year it would be a menace to navigation to be
21 of some help maybe for two months in the winter where
22 there is very little navigation.

23 I think most ships in the wintertime are
24 well equipped with radar. You have a set of range
25 lights right in front of you. You have another one
26 at Cap Brule. You can measure off your distance, if
27 you don't have anything else. 1.9 miles from the
28 forward range lights, the block there will come up
29 as a big spot on your radar and it's just exactly the
30 same thing.



1 English

2 Q. If the pillar, as you say, may be a
3 hinderance, that would also imply that buoy 112 is
4 a hinderance?

5 A. A buoy is not a hinderance. It is
6 a floating aid that even in the case of emergency, as
7 you came close and your vessel even touched the buoy,
8 there would be no danger whatsoever, or very little.
9 Some paint would be scraped off. If you hit a big
10 stone or cement, concrete pillar I am sure there will
11 be a lot of damage done.

12 Q. You are not supposed to touch buoys
13 are you with ships?

14 A. It is a possibility and I am quite
15 sure that it has happened on many occasions. Even
16 out of a pilot's control that he comes very close or
17 touches the buoy, that all he has to do is report and
18 check the position. There has been no damage to the
19 vessel.

20 If you have a big pillar right in the centre
21 of the channel, not the centre but to the side of
22 the navigation in the space of a narrow curve, where
23 it is fairly narrow when she meets -- there is an
24 awful lot of small craft, small schooners coming at
25 right angles to your course and everything. This is
26 my opinion. I am sure that other, even better knowing
27 people than I do would concur in this. I do not feel
28 that it is necessary at all. I think, in my personal
29 view, it would be more of a hinderance than anything
30 else.



1 English

2 Q. When you have been coming down the
3 channel at night, through ice, have you never been
4 worried as to the whereabouts of that spar, as you
5 near that particular corner here? I am referring to
6 that radar item which you mentioned. Now you know
7 as well as I do that the distance say from St. Francois
8 wharf here to the end of the channel is a little
9 difficult to navigate by radar. I am referring to the
10 islands which are not parallel to the channel and
11 the beaches on the north side of it are a little
12 difficult to identify in order to indicate whether you
13 are in the centre or nearly in the centre of that
14 channel.

15 I suggest that radar has to be watched
16 very carefully in that particular sector.

17 A. That is correct.

18 Q. And if you had that wee pillar here
A3 19 to guide you, and you know it to be in position, you
20 could use it in the daytime as much as at nighttime
21 since most of those spars disappear under the ice don't
22 they?

23 A. That is correct.

24 Q. You lose sight of them?

25 A. That is correct.

26 Q. Now let us go on a bit further down
27 Captain. That would be on the next chart, No. 1207.
28 Now you are aware that a dredge called the Niagara,
29 has been doing some dredging at Longue Point?

30 A. That is correct.



1 English

2 Q. Off buoy 108. Now this spring we
3 were given an official depth as being 25 feet, again
4 being low water ordinary spring tides?

5 A. That is correct.

6 Q. Now that dredge has been working there
7 Now I see that it seems to be moving on to someplace
8 else. Don't you think it sort of should have finished
9 the job before it left that very dangerous spot?

10 A. Well I don't know what you mean by
11 finish the job. Now that the dredge has finished and
12 has dredged the spots down to 30 feet, that such a
13 draught now was available -- might not have been any
14 other official, but that is exactly what we were given
15 in the Notice to Mariners that when the dredge was
16 removed and sent up to dredge in the whereabouts of buoy
17 110B, that she had finished her work at Longue Point and
18 that part there now has a depth of water at low water
19 of 30 feet. I take it that she has finished her work.
20 I don't know that they had any more dredging that
21 they wanted to do.

22 Q. So if you were proceeding down the
23 river on a large vessel, big draught, you would consider
24 that spot here the same way you do the rest of the
25 channel?

26 A. Just exactly what we were told by the
27 C.G.S. Beauport which is responsible for the ship
28 channel maintenance. She's the only authority we can
29 go by.

30 Q. Now to go back in the past again, on



1 English

2 the same chart Captain, I don't know whether you
3 remember or not, there used to be a light vessel
4 at Prairie Shoal in place of buoy 103?

5 A. That is away before my time.

6 Q. You are aware of that?

7 A. Hearsay, yes, but I never saw it.

8 Q. To your knowledge, why was it ever
9 removed?

10 A. I have no idea sir.

11 Q. Now for some time, starting from last
12 year, I believe it was mentioned that there is no light,
13 as such, with the regulation characteristics on the
14 end of St. Joseph pier?

15 A. Yes.

16 Q. In the Lake Coudres Passage, that
17 is correct?

18 A. Well there is no light visible right
19 now. We were advised, when they took off the normal
20 light, that it would be replaced by a small green light
21 placed on a temporary structure. I believe I saw it
22 once or twice for a week or two after the regular
23 light was taken away, and I have never seen anything
24 since that time. That is nearly two years ago now.
25 Well over a year anyway, beginning of last season of
26 navigation.

27 Q. To your knowledge now at the present
28 time there is nothing at all clearly indicating the
29 end of the pier?

30 A. Definitely not.



1 English

2 Q. And does that help the ship coming
3 up or down to keep on their side of the channel?
4 Does it help them to know just how far they go past
5 close to that St. Joseph pier? It doesn't help them
6 does it?

7 A. Of course, I mean the removal of
8 that green light at St. Joseph hasn't helped or
9 improved the situation any. That's for sure.

10 Q. Now we will have to jump down to
11 Red Islet.

12 THE CHAIRMAN: When lights are removed like
13 that are the pilots consulted, or their Committee
14 consulted?

15 THE WITNESS: Not usually your lordship.
16 I must mention here that I mean the Authorities or the
17 District Marine Agent doesn't just remove a light for
18 the fun of it. They have a reason. In this case they
19 are completely rebuilding this wharf.

20 -

21 -



English

So, I believe, that some effort could have been made to, at least, indicate the extreme end of the wharf. It could have easily been included in the contract with the contractor to say you must light the end of the wharf in such and such a way. It could have been easily done, but, of course, it was nearly inattention here. It should have been done. There is no doubt that having no light on this wharf hasn't helped things at all.

Q. Now, Captain, referring to chart 1204 there has been within your memory three light vessels at one time in the Red Island region?

A. That is right.

Q. One at White Island which was No. 20, one at Red Island which was No. 3 and one at Prince Shoal. Those light vessels, in your opinion, and you said before weren't anchored there just for the fun of it, there must have been a good reason for it. The area is most treacherous and the currents are bad and a lot of it running cross-wise to the channel or at a large angle, and these light vessels have been there for a long time. Don't you think that if you get on a ship that doesn't have the necessary equipment, will you agree with me a lot of vessels still don't have all the modern equipment?

A. That is right.

Q. Coming up with a ship in ballast, let us say you were on the high of a snowstorm or driving rain, visibility isn't too good, don't you think it is



1 English

2 more interesting to steam right up to a light vessel --
3 let me put the question in another way, don't you think
4 it's easier to approach a light vessel in order to
5 get a good departure to the next point? Don't you think
6 it is much easier to approach the light vessel under
7 these circumstances than it is to approach a tower?

8 A. Of course there is less danger and
9 usually more water where a light vessel is anchored.

10 Q. Referring to buoys, especially when
11 there is a little bit of sea, when there is some
12 turbulence on the surface, don't you agree that buoys
13 are very often missed by radar equipment?

14 A. That is correct.

15 Q. They are very difficult to pick up
16 when there is any disturbance?

17 A. That is right.

18 Q. You could miss them altogether. I
19 think you mentioned yesterday, Captain, that an
20 anchorage such as at Red Island Tail, which is frequently
21 used by a lot of ships would benefit by the presence
22 of a light vessel there in order to make that anchorage?

23 A. A light vessel here would be of some
24 use, of course.

25 Q. Wouldn't it be a very great use?

26 A. Well, you can still make an anchorage
27 without having a light vessel there, but the light
28 vessel would certainly be an improvement, be an aid
29 to navigation, and any improved aid to navigation,
30 of course, facilitates the pilots' work, and of course,



1 English

2 is an asset in security, safety of vessels.

3 Q. What are the chief reasons for
4 anchorage there generally?

5 A. Well, fog, dense fog, poor visibility,
6 and especially with ships that are going up the
7 Saguenay River.

8 Q. Isn't it with those conditions,
9 special conditions where a light ship would be especially
10 useful?

11 A. Of course it could be picked up
12 easily on the radar. It could be used to take radar
13 bearings. It would be closer. The foghorn would be
14 of some help. But then again, it is just an improvement,
15 a desirable improvement. It is not a necessity. Work
16 can still be performed without it. It is a desirable
17 improvement.

18 Q. You call that now desirable
19 improvement, Captain. I would like your very strong
20 opinion on that. Don't you feel it is a little more
21 than that, don't you think it is more or less
22 essential to navigation in that particular area?

23 A. It would be foolish to say it is
24 essential. There hasn't been one for the past two
25 or three years and we have still done quite a fair
26 job in that part. It would be foolish to say it is
27 essential. I would say it is a desirable improvement.
28 It would be an added aid to navigation. It would
29 help navigators. I wouldn't say it is essential.
30 Something that is essential must be there in order to



1 English

2 perform the work and it hasn't been there for two or
3 three years while we have performed the work quite
4 satisfactorily, I believe.

5 Q. Some changes have been made, Captain,
6 throughout the river these last two or three years,
7 and don't you agree it is certainly correct that they
8 have been termed very essential for over a century and
9 almost another century and don't you believe a lot
10 of people base their assertion on the fact ships are
11 equipped with modern electronic equipment, radar, and
12 all the rest of it. You must agree with me a lot of
13 ships don't have all that, and even if they do have it
14 very often it is operating -- it is not working properly
15 which amounts to the same thing as not having it at
16 all. You agree with me again that such equipment
17 if it is not working properly may sometimes be more
18 dangerous than not having it at all?

19 A. Yes, of course I agree. That is quite
20 correct.

21 Q. If your lordship will allow me we
22 will take a jaunt, I think to Port Alfred docks. I
23 don't think there is any need for the charts, your
24 lordship. Are you familiar, Captain, with the Port
25 Alfred wharves?

26 A. That is correct.

27 Q. You are familiar with the structure
28 of these wharves?

29 A. That is correct.

30 Q. You also know that these wharves are



1 English

2 not built in a solid block. They are a skeleton
3 underneath the surface?

4 A. That is correct.

5 Q. Wouldn't you agree with me if you
6 came in as a pilot on a ship, and although you are
7 familiar with the various cross-currents in the vicinity
8 of those wharves, you know from experience that you
9 still have to watch that ship like a hawk because you
10 are not quite sure in spite of what all the pilots have
11 told you because they don't quite know just what, in
12 most cases, just what these currents will do at any
13 stage of the tide.

14 THE CHAIRMAN: Excuse me, do you agree up
15 to that point because it is a long question?

16 THE WITNESS: I agree that the currents there
17 are very hard to predict due to these structures. I
18 agree up to that part. There is maybe -- I might be
19 mistaken, but there seems to be a hint about some of
20 the old pilots might not even know this. I would like
21 to sort of keep neutral on that.

22 MR. KOENIG: Q. I would like to mention
23 here, your lordship, even very good pilots, the pilots
24 whom I consider even most competent, even they them-
25 selves admitted that they don't know.

26 THE CHAIRMAN: The witness admits that
27 also, that they are treacherous currents.

28 THE WITNESS: Current that have to be
29 watched closely, let us put it that way, sir, because
30 we cannot predict with any degree of accuracy what they



1 English

2 will do at any given time with the underwater structure.

3 I will go along with you.

4 MR. KOENIG: Q. Now, Captain, you are
5 coming in between these to anchorage wharves, Duncan
6 Wharf and Powell Wharf. When you are coming to Port
7 Alfred you have Duncan Wharf on the starboard and
8 Powell Wharf on the port hand. You often find other
9 ships alongside as you come in. You have to keep a
10 little steerage way on your vessel. The docks
11 have been improved, but for a long long time they
12 have not been adequate, as you know. Don't you believe
13 that these two finger piers had been a solid block,
14 say if they had filled by all the granite around the
15 bay you would have no hesitation in sort of going in
16 with the same weight on your ship and you would know
17 more precisely what to expect your ship to do if you
18 bring her to a halt between the finger piers?

19 A. Following your thinking, not an
20 open face wharf but a closed face wharf might be
21 an improvement, but I don't feel -- it is more of an
22 engineer or even an hydraulic engineer's part of the
23 system. I don't feel qualified to answer what the
24 currents would or would not do at any stage coming
25 through such an underwater structure. I think an
26 hydraulic engineer would be much more qualified to
27 answer this one.

28 Q. Let me point out exactly what I
29 have in mind: Don't you think between these finger
30 piers if they were solid there would be more or less



1 English

2 dead water instead of cross-currents running through
3 the skeletons?

4 A. I don't think we should overdo this
5 cross-currents coming from piers. It is certain these
6 piers might create some currents. I would be more
7 worried where the current or wind with a strong north-
8 easterly wind, more than on the currents coming from
9 the piers.

10 Q. Captain, have you followed the advice
11 of some of the older pilots whom sometimes you may
12 have consulted at Escoumains, and I have myself been
13 answered in this way, to go to the end of the bridge
14 and drop a small piece of wood or bundle of paper and
15 watch it drift, watch its behavior. Have you ever done
16 that?

17 A. You are talking about more or less
18 in between the wharves. By the time you are between
19 these two jettys, if you are going to start dropping
20 pieces of wood and watch them it is a little late. You
21 are inside, a few hundred feet with your ship. I don't
22 think that that is such a place to start throwing
23 a bundle of paper or small piece of wood. This has
24 been done many times. I have done it at sea or in the
25 bay when I want to see how the current is taking me.
26 But when I am not close to the wharf while I am docking
27 a ship I think it is much too late by then. If you
28 are going to make a mess by that time your mess is
29 nearly done.

30 Q. I am not referring to the mess that



1 English

2 you could possibly make. I am referring to the actual
3 experience of having done this and I mentioned . . .

4 A. Not between piers.

5 Q. It has been done by some people and
6 found very remarkable.

7 A. They must have a lot of time to lose
8 if they are off the pier and throwing bundles of paper
9 and wood in and the fellow who is at the dock must
10 be yelling his head off.

11 Q. This was done, being done after the
12 operation was completed and the pilot would discuss
13 with his apprentice what had taken place a moment
14 before and then he would say you do that now and watch
15 it yourself.

16 A. You mean after you have docked -- what
17 is the good of finding the current after you have
18 docked to tell you how to dock. It is a different
19 thing. You have changed your question after I answered.
20 I still don't see the point of finding out how the
21 current is going to take me after.

22 THE CHAIRMAN: That is all right. Have you
23 more questions?

24 MR. KOENIG: Yes, I have a few, your
25 lordship. Now, Captain Dussault, let us come back to
26 chart 1204 and you are coming down aboard a ship
27 such as I referred to previously that in your mind
28 lacks some of the useful equipment. You are on the ship
29 in thick fog, poor visibility and you are coming down
30 here through south pass as you would normally do with



1 English

2 that type of vessel. How would you go about making
3 Escoumains Pilotage Station, in your own words?

4 A. Once you have gone, let us say east,
5 cleared Red Island Reef you would shape a course . . .

6 Q. Excuse me. You have no radar. You
7 are thick fog. You don't have what you need.

8 A. Of course you could pick up the fog-
9 horn on both Red Island and, of course, Green Island.
10 You run your distance on time and soundings. Accord-
11 ing to your time from that in this case you are just
12 about abeam of where the light vessel used to be and
13 where the buoy is now, the radar reflector buoy. You
14 shape your course -- I would shape a course, let us
15 say, for halfway between Cap Bon Desir and Escoumains
16 Village Wharf, which we are presently using for the
17 pilot boat. While the signs leaves much to be
18 desired on the north side approaching there you have
19 been on that ship for 12 hours and you have a good
20 idea of her compass, you know how the tide is rolling.
21 You know what speed she is doing. I think it is a
22 poor pilot who wouldn't be able to at least pick up
23 Cap Bon Desir beam by that time. If you take a beam --
24 this is dead reckoning navigation. It is not the
25 very best. You must also admit it is an exception
26 these days to have a ship so poorly equipped and I
27 think that even if you picked up Cap Bon Desir beam
28 you could still shape a course and keep careful
29 precautions and keep a little further offshore than
30 you would normally with a well-equipped vessel. I don't



1 English

2 think there is ~~no~~ need for extra attention or, maybe
3 a bit more after accurate timing. I mean if your
4 course shapes -- I think it is part of being a pilot.
5 If he is on board the ship he has come down river. He
6 has acquired that knowledge in the last 10 or 12 hours.
7 I think a reasonable safe and good job could be perform-
8 ed under the circumstances.

9 Q. You really think, Captain, most
10 pilots would take that vessel from Red Island to the
11 station under those circumstances?

12 A. There certainly has been fog in the
13 last four seasons and it has been done because there
14 certainly has been some of the ships you spoke about.

15 Q. Even at night?

16 A. During dense fog I see no difference
17 at night or at day.

18 Q. You don't see any difference at night
19 or at day in that particular case?

20 A. If you are in dense fog all you want
21 to do now is pickup the foghorn off Cap Bon Desir.
22 You are not going to see it any more in daylight.

23 Q. All right, Captain, a lot of foghorns
24 have been known not to be heard at certain times.
25 Ships are being known to come up and down river and
26 suddenly hear the foghorn on their quarters instead of
27 ahead of their boats. Say you are coming down in the
28 daytime, to make it easier for you and you could shape
29 a course as you say -- the ship may not have much
30 power and you may have, say flood tide and you may land



1 English

2 where you didn't expect to land. If you are a little
3 lucky you may land somewhere between Cap Bon Desir
4 and Les Escoumains here.

5 A. I don't . . .

6 Q. I beg your pardon, I hadn't finished
7 my question. What do you do if you do land there, and
8 I think we would agree that you would have to be quite
9 lucky with such a vessel to make sure you did land there,
10 especially if you haven't been making much speed, even
11 in the daytime, even in fog you could probably see
12 the rocks before you hit them in the fog whereas you
13 wouldn't see it . . .

14 A. There is a possibility, but I would
15 say it would be easier to pick out the light of
16 Cap Bon Desir at night than these in the daytime. It
17 is a powerful light. You have at Anse aux Basque an
18 amber coloured light that is specially equipped for the
19 fog. Your chances have been improved or picking up
20 that light at night. You have more chances of picking
21 out the lighthouse at night than to pick out this
22 tower through whitish looking fog in the daytime, and
23 you still have the foghorn to help you.

24 Q. What would you say the coast was
25 like between Port Neuf light, just opposite Bic Island
26 and which to your knowledge as well as mine,---.
27 I think you will agree it does not have a lot of power.
28 Do you agree with me that coast is very dangerous
29 between those two points?

30 A. Quite dangerous.



1 English

2 It is solid rock and as it goes offshore it is strewn
3 with boulders and so on, very arid and abrupt
4 coast at the reef.

5 Q. Is that not the reason why a lot
6 of vessels coming up river hesitate in approaching the
7 station until after they reach a certain point and
8 then eventually go into the station?

9 THE CHAIRMAN: The station, you mean
10 Escoumains Station?

11 Q. The Pilot Station?

12 A. I couldn't tell you. I wasn't master
13 or navigating officer on any of those ships.

14 Q. Do you know that the vessel HOMERIC
15 was aground last year for approximately four hours
16 halfway between Port Neuf light and Escoumains Pilot
17 Station?

18 A. I heard so but she is a well-equipped
19 vessel. It must be some poor seamanship.

20 Q. Now, Captain, I think you will agree
21 with me that most people in this world of ours
22 are right-handed. Let us say that normally the average
23 person is expected to write with his right hand, to
24 say nothing of eating with his right hand. You drive
25 your car normally on the right-hand side of the road
26 in most countries. Isn't it in that spirit that
27 seafaring nations got together at one time and
28 amongst other international rules of the road decided
29 to draft in particular Article 18 and Article 25.
30 I cite Article 18 here:



1 English

2 Where when two vessels are meeting
3 end to end on, each shall alter her
4 course to starboard so each may
5 pass to the portside of each other;
6 is that correct?

7 A. Yes.

8 Q. Article 25 says, along the same
9 lines, in narrower channels every steam vessel shall
10 when it is practical keep on that side of the fairway through
11 the channel which lies on the starboard side of such
12 vessels.

13 A. That is correct.

14 Q. That is correct. Well now, you are
15 piloting a ship here and coming down the river and
16 let us imagine for a moment, and this is hypothetical
17 again, let us imagine again that the Pilotage Station
18 is somewhere on the south shore. You approach that
19 station from down here past St. Simon, and on approach-
20 ing that Station you notice there are three or four
21 ships coming up river making that Station. You watch
22 one of them pick up her pilot ahead of you and what do
23 you normally expect that ship to do, stay close to the
24 coast coming off or head out clear of you?

25 A. Well, the ship has a course either
26 for the entrance of Saguenay or south of Red Island
27 where the light ship used to be.

28 Q. My question is do you expect her to
29 head out and keep clear of you? You don't expect her
30 to head inside of you as you are going down the coast



1 English

2 on the right-hand side?

3 A. Yes.

4 Q. You expect her to head out?

5 A. Sure.

6 Q. You are making Escoumains Pilot
7 Station under the same circumstances and three or four
8 ships, two or three ship, any number of ships approach-
9 ing the Station, these ships pick up their pilots,
10 what would you expect them to do? Do you know in
11 any amount of accuracy which side they are going to
12 meet you on? Have you any idea? Have you any reason-
13 able amount of certainty which side these ships are
14 coming to meet you?

15 A. Well, I may say these signals -- rules
16 of the road are giving your signals and buoys, and
17 there is over seven miles of navigable width. I would
18 think it is all kinds of space to meet another vessel.
19 We are not in a narrow channel. You cited Article 6
20 which states a narrow channel. I am not taking a
21 place where there is seven miles width as a narrow
22 channel with any stretch of the imagination.

23 Q. I was referring, Captain, to the
24 natural inclination of man to go to the right.

25 A. Navigation is not natural inclination.
26 Navigation has got some definite set rules and the
27 rules of the road are there to be followed at all
28 times, not natural or unnatural inclination. I am
29 left-handed for many things. I throw a ball with my
30 left hand. I still drive on the right-hand side of the



1 English

2 road even if I had an inclination to the left.

3 Q. So you don't think those rules were
4 drafted in the spirit that the average person is
5 inclined to go to the right?

6 A. I wasn't there.

7 Q. Why don't the rules say you should all
8 go to port when meeting another vessel?

9 MR. LALONDE: If this is going to be
10 an examination into the seamanship of Captain Dussault
11 I request here the accident records of both Captain
12 Dussault and Captain Keonig be filed before this
13 Commission. I think for the rest we are going pretty
14 far beyond the examination in chief.

15 THE CHAIRMAN: I think the point that
16 Captain Koenig is trying to make here is Escoumains
17 is dangerous. I think when you have the answer we
18 will try not to discuss it too much with the witness.

19 MR. KEONIG: Q. Now, Captain, you should
20 know, I think, the depth of water at St. Simon's pier.
21 I would like to know that.

22 A. I have never been to St. Simon's pier
23 and I don't believe a vessel was berthed by anybody
24 in the last 35 years at that pier. I don't know the
25 depth.

26 Q. Throughout the course of your
27 apprenticeship didn't you have to know the depth of
28 water for any piers in the harbour?

29 A. I don't believe St. Simon has ever
30 been used by any pilot.



1 English

2 MR. LALONDE: If we are going to ask the
3 depth of water at other piers . . .

4 THE CHAIRMAN: It appears on the chart.

5 THE WITNESS: I don't know, your lordship,
6 and I wonder if . . .

7 THE CHAIRMAN: That is all right.

8 THE WITNESS: . . . even Mr. Keonig knows.

9 CAPTAIN KEONIG: I happen to know, your
10 lordship.

11 THE CHAIRMAN: That is all right.

12 CAPTAIN KEONIG: Q. Now, I have two
13 more question, and they deal with Captain Dussault
14 in his capacity as Administrator of the Corporation.
15 You stated yesterday, Captain, that you were still
16 Vice-President of the Corporation?

17 A. That is correct.

18 Q. You also, I believe, hold the position
19 of Examiner of masters and mates in Quebec. Does that
20 interfere in any way with your profession?

21 A. It does not.

22 Q. Would you mind telling me, Captain,
23 if you know now, since you were on the stand here last
24 Friday, and you were on the stand all day yesterday,
25 and presumably part of today, how many turns will be
26 granted you by the Corporation in these circumstances?

27 A. All will be granted according to
28 the Corporation rule, exactly one half turn per day
29 spent at the services of the Corporation. This will
30 be decided by the other directors in a meeting.



1 English

2 Q. You have heard, no doubt, throughout
3 previous testimony that for some reasons best known
4 to the administrators of pilots right up until the
5 one that was taken into pilotage last spring, they
6 signed in the old Association, Association of Pilots.

7 MR. LALONDE: I don't want to interrupt
8 unduly, but there was a meeting with counsel before
9 this Commission on the procedure to be followed with
10 the various witnesses and all counsel agreed that all
11 questions relating to the actual operation of the
12 Corporation would be asked of the President or the
13 Secretary-Treasurer of the Corporation and the
14 Association. I think my colleagues will bear me out
15 on this. I understand Mr. Koenig is not aware of this
16 and this is not a reproach to him. I think he should
17 withhold his questions about the actual function of
18 the Corporation and the Association until the President
19 and Secretary are in the box.

20 THE CHAIRMAN: There is going to be evidence
21 on that.

22 MR. LALONDE: Of course. The next witness
23 is the President of the Corporation.

24 THE CHAIRMAN: You could hold your questions
25 and put them to Captain Dussault if the evidence is
26 not brought before the Commission.

27 MR. KOENIG: Yes, my lord. I would like
28 to mention, my lord, at this time since this information
29 has leaked, and I use the word leaked out, several
30 pilots whom I spoke to, and who have spoken to me on



1 English

2 that score have expressed great surprise that this was
3 so. Thank you, my lord.

4 THE CHAIRMAN: What do you mean, that this
5 was so?

6 MR. KOENIG: That all the pilots had
7 signed in the old Association.

8 THE CHAIRMAN: I think that as far as
9 that is concerned as just mentioned the proper witnesses
10 are going to be brought here. If you, after hearing
11 the other witnesses feel evidence wasn't given that
12 Captain Dussault would be the man to give, would only
13 know the subject, then you can recall him if you want.

14
15
16
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R/RPS 1 English

2 Because, you know, we have to have order,
3 otherwise you will do in advance the evidence that is
4 going to be given by some other witness.

5 CAPTAIN KOENIG: I understand.

6 THE CHAIRMAN: Then please hold that question.
7 Any other questions of Captain Dussault?

8

9 RE-CROSS-EXAMINATION BY MR. MASON:

10

11 Q. You mentioned you felt it might be
12 advisable to have a light installed, a signal light
13 for vessels proceeding down the St. Charles River Basin
14 is it?

15 A. I said that after Mr. Koenig had
16 asked me this question. Our Committee, as a matter
17 of fact in various meetings with the Harbour Authorities
18 has spoken about this and it would be an improvement
19 to have some sort of signal indicating if other ships
20 are entering or leaving. It is not St. Charles River,
21 it's the inner and outer basin. It would be an
22 improvement from the safety point of the question.

23 Q. When these vessels are outbound
24 into the river, do they not give a security radio call?

25 A. Those that are equipped with R.T.,
26 radio-telephone, they do frequently. I have done so
27 myself, and, of course, there is the proper signal
28 that must be given, which is a rule here of two
29 long blasts prior to managing the entrance. Of course,
30 as you know, many foreign vessels that we are taking



1 English

2 in and out of there are not fitted with R.T. and can't
3 give the usual security call.

4 Q. In view of the number of lights
5 in the background of the City, what type of installation
6 did you feel would be a desirable thing?

7 A. It would have to be something that
8 would attract attention. I would say maybe a quick
9 flashing light. There is not too many quick lights.
10 Amber, quick flashing, something like that. There
11 is none like that; right in the close vicinity might
12 be advisable.

13 Q. Thank you.

14 THE CHAIRMAN: Any further questions?
15 I have two. You told us that when you are taking a
16 ship into Quebec or Escoumains that it has to be
17 decided as to whether the south channel or north
18 channel is going to be taken. Who makes this decision?

19 THE WITNESS: Well the pilot -- you could
20 recommend or just tell the master I am going to go
21 on the south channel today captain.

22 THE CHAIRMAN: It is generally discussed
23 at first?

24 THE WITNESS: I must say here quite frankly
25 that sometimes I use the south channel without even
26 asking any master. Nobody has ever reproached me
27 or said you shouldn't use it. As a matter of fact
28 most times we use it, some of the older captains say
29 we haven't been here for 15 years and we are very glad
30 about it.



English

1 THE CHAIRMAN: With regard to ships you
2 were master of, in which District were they plying
3 when you were master of them?

4 THE WITNESS: They plied from Montreal
5 down, in most instances your lordship and I would
6 employ a pilot in the District where the law said
7 so. It must be understood there that in those
8 days it was often a matter of either you got the job,
9 if you could do the pilotage in the lower part. If
10 you couldn't do it, you didn't get the job.

11 THE CHAIRMAN: That was in the lower part?

12 THE WITNESS: That is right.

13 THE CHAIRMAN: And what about in the upper
14 part?

15 THE WITNESS: They had to use a pilot.
16 It was a regulation in the Canada Shipping Act.

17 THE CHAIRMAN: So you used a pilot in the
18 upper part?

19 THE WITNESS: At all times.

20 THE CHAIRMAN: In the lower part you were
21 aware, you had your apprenticeship there?

22 THE WITNESS: Yes sir. If you didn't
23 you didn't work.

24 THE CHAIRMAN: Thank you very much Captain
25 Dussault and I must congratulate you also for the
26 good evidence you gave.

27 CAPTAIN DUSSAULT: Thank you.

28 MR. BRISSET: I would like to join your
29 lordship in this.

30 MR. LANGLOIS: We are all in agreement



1 MR. LANGLOIS: We are all in agreement
2 with that.

3 THE CHAIRMAN: Even one of the Commissioners
4 was telling me yesterday that the morning seemed quite
5 short.

6 CAPTAIN DUSSAULT: For the Commission, I
7 am sure your lordship.

8 (THROUGH THE INTERPRETER.)

9 MR. LALONDE: I would like to file once
10 more Exhibit 636 as amended in order to complete the
11 list of the members of the Board of the Corporation
12 of the St. Lawrence Pilots. I have added to that list
13 five names which were provisional for 1959.

14 I have added the names of the provisional
15 officers for 1959. There were five names missing.
16 The list of administrators for the years 1960, 1961
17 and 1962 is complete and accurate, as far as my
18 colleague Mr. Brisset is concerned.

19 THE CHAIRMAN: So this amended list will
20 be added to the list already filed and on that list
21 already filed the Secretary will indicate the list
22 amended in order to indicate it is amended by another
23 list filed later on.

24 MR. LALONDE: I would also like to file
25 a copy, a certified copy by the Secretary of the
26 Association of Licensed Pilots for the Quebec Harbour
27 and Below, the Act of Association of the Association
28 of Licensed Pilots for the Quebec Harbour and Below.
29 This is the Act for the year 1924, the original
30 of which has been before the Commission and my colleague,



1 French

2 Mr. Jacques, tried in vain to have a photostat made
3 of that original copy.

4 MR. JACQUES: The results are the only
5 important aspect of it.

6 MR. LALONDE: So the text is typed and
7 certified as a true copy by Mr. Menard. This is
8 Exhibit 592(a).

9
10 MR. GASTON ROUSSEAU, Sworn

11
12 THE CHAIRMAN: While Captain Rousseau is
13 taking his oath, concerning the procedure: If someone
14 has some questions to ask, as was the case with
15 Captain Koenig, he may proceed as Captain Koenig
16 proceeded but I might suggest the following, and this
17 may help many of you: the questions could be asked
18 by the counsel for the Commission so you may contact
19 the counsel for the Commission who may ask the
20 questions. If you wish to ask your questions yourself,
21 you may do so.

22 THE SECRETARY: Would you please state
23 your full name please?

24 THE WITNESS: Gaston Rousseau, 44 years old.

25
26 DIRECT EXAMINATION BY MR. LALONDE:

27
28 Q. As counsel for the Pilots of the
29 Corporation of Quebec, I know that my colleague,
30 Mr. Langlois, as counsel of the Canadian Merchant Guild



1 French

2 is also at the disposal of the witnesses, or any person
3 who would like to ask any question of the witness in
4 the box.

5 THE CHAIRMAN: I think that most pilots
6 were aware of that because I saw many papers that were
7 directed to the counsel.

8 Q. Captain Rousseau could you please
9 tell us what marine certificates you are a holder of?

10 A. In order to give you an idea of
11 my career, I enrolled in the Canadian Royal Navy in
12 the spring of 1936 and I served therein on different
13 ships, torpedo boats, working the Skeena, Saguenay and St. La
14 as ordinary seaman. Afterwards I was promoted. In
15 1938 I went into the Merchant Marine where I served
16 until I became a pilot in 1952.

17 I obtained my first licence, ocean going
18 vessel in 1940 and I served on the Atlantic coast
19 in convoys until 1943.

20 In 1943, upon the advice of a physician
21 who told me to go and work where there were less
22 convoys because of my vision that was weakening, well
23 I went on the Pacific Coast where I served until 1946.
24 In 1946 I obtained my licence as a captain for
25 foreign going ships and I served from 1949 to 1952
26 as an officer on ocean going vessels until I passed
27 my licence as a pilot in the spring of 1952.

28 Q. On what type of ship did you serve
29 during the latter period that you mentioned, from
30 1947 to 1952?



1 French

2 A. There were ocean going ships, cargo
3 ships or ships around ten thousand tons.

4 Q. In what seas have you navigated while
5 you were a seaman?

6 A. For 16 years I was on ocean going
7 ships and I think I have navigated in practically
8 all regions of the world.

9 Q. During the wartime you sailed, I think,
10 in the Pacific as well as on the Atlantic?

11 A. Yes. I served on both seas.

12 Q. Have you received any military
13 decorations in the course of your military service?

14 A. I don't think it is necessary for
15 me here to say that I have a medal or not.

16 Q. Well you are under oath. You may
17 answer.

18 A. I received a medal which was called --

19 THE CHAIRMAN: Perhaps counsel for the
20 pilot is aware, so he could ask you these questions.

21 THE WITNESS: Well I received a medal of
22 1935-45, which was an Atlantic Star. It's the Atlantic
23 Star, it's not a medal. I also received the Pacific
24 Star and also what is called a war medal, 1939-45 and
25 in 1943 the Free Exiled Government of the Netherlands
26 also gave me the Silver Fleet Award. That is all.

27 I don't think it is necessary to have
28 all these medals in order to become a good pilot.

29 Q. In what year did you enter the field
30 of pilotage?



1 French

2 A. Well I was called -- I was an
3 apprentice in 1946. In the first year I couldn't
4 report as I had received that letter, and I went to
5 New Zealand and then I reported the following year.

6 Q. For how many years were you an
7 apprentice?

8 A. Six years.

9 Q. In what year did you become a pilot?

10 A. The spring of 1952.

11 Q. Were you paid while you were an
12 apprentice?

13 A. In the course of that period we
14 received, from different companies, the amount of
15 \$6 per trip, but, on the other hand, there were
16 certain ship companies which did not pay the apprent-
17 ice.

18 Q. Did you undertake any trips with
19 these companies or for these companies as well?

20 A. Yes. I made some trips for these
21 shipping companies because I did my apprenticeship
22 during the leave of absence periods which were wanted
23 to be made by companies.

24 Q. And what was the minimum of a pilot-
25 age required every year in the field of pilotage?

26 A. Well at that time we had to make
27 40 trips per year for a period of six years.

28 Q. Did you ever have experience before
29 becoming a pilot in the coastal navigation, aside from
30



1 French

2 experience in ocean going navigation?

3 A. The only experience I had in
4 coastal navigation is with the ship I was on in the
5 spring of 1951 was chartered in order to take some trips
6 between St. Pierre and Sorel.

7 That year it was getting experience in
8 a coastal ship. If I remember correctly I made 34
9 trips between St. Pierre and Sorel.

10 Q. Did you take a pilot on board at
11 that time?

12 A. You mean from Quebec to Montreal?
13 From Father Point to Quebec and Quebec to Sorel.

14 Q. I understand that when you became
15 a pilot in the first place you started as a pilot,
16 only the ordinary assignment pilot?

17 A. Yes. The first year. In the
18 second year I was a pilot on the regular assignment
19 list and then as I was known in Montreal from differ-
20 ent shipping companies, the company called me to
21 work for them. It was the North American Shipping
22 Company. After that ---

23 Q. You mean that you were asked to be
24 a special pilot at that time?

25 A. Yes. I was requested to work for
26 them as a special pilot. That company ceased its
27 operations and I think I worked for a year for the
28 Saguenay Terminals and during the latter years I
29 was working for the Montreal Shipping Company as a
30 special pilot.



1 French

2 Q. Were you a special pilot constantly
3 since 1953 until the abolition of this era of special
4 pilots in 1953 or 1954?

5 A. Well I think there was a period
6 that I went back as ordinary assignment pilot perhaps
7 for a year's time.

8 Q. You were a special pilot when the
9 regime of special pilots was abolished?

10 A. Yes. I was working for the Montreal
11 Shipping Company.

12 Q. The District General By-Laws indicate
13 that pilots are subdivided into three different
14 grades, grade A, B, and C. To what grade do you
15 belong?

16 A. I belong to grade B.

17 Q. And this allows you to pilot ships
18 up to what tonnage?

19 A. Well any ship up to 10,000 tons.

20 Q. Net tons?

21 A. Yes, net tons. From 10,000 tons
22 net and more, well these ships are assigned to
23 grade A pilots.

24 Q. Ever since you became a pilot in
25 the Quebec District, did you perform duties as
26 administrator of the Association of Licensed Pilots
27 for the Quebec Harbour and Below, ever since you
28 became a pilot in 1952?

29 A. Well I was a director of the Assoc-
30 iation for a year. Around 1955 and 1956, I think.



1 French

2 Q. Wouldn't it be more accurate to say
3 1953?

4 A. Perhaps.

5 Q. You don't recall exactly?

6 A. No, but I remember that it was
7 Mr. Lactance, who is now retired, was President of
8 the Association at that time had been nominated at
9 that time.

10 Q. Which was followed by an election?

11 A. Yes, it was an election.

12 Q. And you were elected and at the
13 end of the year you were defeated, I suppose?

14 A. Yes, I was.

15 Q. You did not withdraw voluntarily?

16 A. No, I became a candidate again.

17 Q. Did you resume your political
18 career later on?

19 A. Well if you wish, then I was a
20 candidate at the general election of the year 1960 and
21 I was elected Director of the Association of Licensed
22 Pilots for the Quebec Harbour and Below in 1960.

23 At that time the administrators or
24 directors chose amongst the directors at that time
25 the President and I was elected afterwards President
26 of the Association.

27 Q. You mean immediately after your
28 election in 1960?

29 A. Yes.

30 Q. Was that the regulation at that time



1 French

2 of the Association for the Directors to choose the
3 President of the Association?

4 A. Yes. The President -- the nomination
5 was made by the Directors.

6 Q. At that time did the Corporation of
7 Lower St. Lawrence Pilots exist?

8 A. At that time no. The Corporation
9 of the Lower St. Lawrence Pilots was created on May
10 8th 1960. That is, the Secretary of State gave us
11 our charter in May 1960.

12 Q. At the time you were elected admin-
13 istrator of the Association in 1960, during the
14 general annual meeting, were you at the same time
15 elected an administrator of the Corporation of
16 the Pension Fund or the Corporation entrusted with
17 the administration of the Pension Fund?

18 A. Yes. There was also an election
19 for the position and I also was elected administrator
20 and afterwards President of the Corporation of the
21 Lower St. Lawrence Association of Licensed Pilots
22 for the Quebec Harbour and Below.

23 THE CHAIRMAN: Were those two different
24 elections?

25 THE WITNESS: Yes my lord.

26 THE CHAIRMAN: And traditionally speaking,
27 were they having the same administrators for both
28 organizations?

29 THE WITNESS: Yes.

30 Q. Did it ever happen that such was not



1 French

2 the case?

3 A. Well not that I recall. Now I
4 would like here to be more explicit. The Board of
5 the Corporation of the Lower St. Lawrence Pilots
6 is composed of seven administrators and there is
7 always one who is outside of the Corporation pension
8 fund which is restricted to six according to this
9 old law which still governs us.

10 Q. Since 1960 have you always remained
11 an officer of the Association of Licensed Pilots
12 in the Quebec Harbour and Below? Of the Corporation
13 of the Quebec Harbour, that is the Association for
14 the pension fund and of the Corporation of Lower
15 St. Lawrence Pilots?

16 A. Yes.

17 Q. Have you been subject to any other
18 re-election?

19 A. Well my re-election was not contested.

20 Q. But you were re-elected by the
21 annual general meeting?

22 A. Yes.

23 Q. Were you President of these three
24 Associations since 1960?

25 A. Yes. The first year I was temporary,
26 or provisional President of the Corporation which was
27 not established yet, but now I have been President
28 for three years, and this is my last term.

29 Q. This is, therefore, your last term
30 for the Corporation of the Lower St. Lawrence Pilots?



1 French

2 THE CHAIRMAN: Well there is a limit in
3 your regulations?

4 THE WITNESS: Yes. There is a limit for
5 the chairmanship or presidency of the Corporation.
6 Three years.

7 Q. You are the President of these
8 organizations at the present time. Do you also belong
9 to other boards of directors of other organizations
10 than these?

11 A. Yes. I am also a member of the
12 Board of Directors of the Federation of St. Lawrence
13 Pilots.

14 I am a member of the Board of Directors
15 of the Corporation of Lower St. Lawrence. I am a
16 member of the Board of Examiners in our District.
17 I am a member of any other Committee which is
18 established to study some specific problems but I
19 am not a member of the Membership Committee.

20 Q. Do you attend regularly such
21 Committees or are there some Committees which are
22 established by your Corporation of Committees you do
23 not attend?

24 A. Well the first year, in 1960, I
25 attended all Committees which had been established.
26 In 1961 and 1962, and last winter I did not attend
27 these Sub-Committees which has been established, such
28 as the Committee to study the dispatching, because
29 these Committees report to the Board of Directors
30 before being adopted.



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1 French

2 THE CHAIRMAN: Any other questions?

3 MR. LALONDE: Yes. I would enter onto the
4 regulations of the Association.

5 THE CHAIRMAN: Well the meeting is
6 adjourned.

7
8 ---A SHORT RECESS.

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/RPS

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2 ---FOLLOWING THE SHORT RECESS:

3 DIRECT EXAMINATION BY MR. LALONDE (CONTINUED):

4 Q. I would like to call your attention
5 to paragraphs 305, 306, 307 and 308 on page 127 of the
6 brief presented by the Federation of the St. Lawrence
7 Pilots to the Royal Commission. Have you had an
8 opportunity to look at these paragraphs?

9 A. Yes.

10 Q. Now, as far as you know do these
11 paragraphs correctly describe the situation in your
12 District as regards the professional organization of
13 pilots?

14 A. That is correct.

15 MR. LALONDE: Your lordship, I realize that
16 the brief has not been filed officially. It has not
17 a number as an exhibit, and I just wondered whether it
18 should not be filed now since we will have to refer to
19 it during several testimonies and I have already refer-
20 red to it previously.

21 THE CHAIRMAN: 671 will be the number of
22 this exhibit.

23
24 ---EXHIBIT NO. 671:

Brief of the Federation
of St. Lawrence Pilots.

25
26 MR. LALONDE: I would like also to remind
27 you that the regulations of the Association of Licensed
28 Pilots for the Quebec Harbcur and Below, the Act of
29 the pilots has already been filed as Exhibit No. 592.
30 I realize, your lordship, that in the exhibit which was



1 French

2 filed we had also the regulations of the pension fund
3 of this Corporation of Quebec Pilots. These have been
4 amended last year and they are no longer in force.

5 There is an error of the Secretary who has certified
6 this regulation. The copy of Exhibit 592 has the
7 regulations that are obsolete. I wonder whether they
8 should be kept in the file. They maybe kept, of course,
9 but they are purely historical since they are obsolete.
10 If you wish I might file the present ones?

11 THE CHAIRMAN: Well, please, can you leave
12 in the old exhibit and you could ask the Secretary to
13 please add something in the file to the effect that these
14 regulations are no longer in force, ask the Secretary
15 of the Corporation to certify this document, to make
16 some notation of that fact.

17 MR. LALONDE: I would like also to file
18 as Exhibit 672 a copy of the letters patent of the
19 Corporation and regulations of the Corporation of Lower
20 St. Lawrence Pilots duly certified by the Secretary of
21 the Corporation as well as a copy of the regulations
22 concerning the pension fund. That is a regulation of
23 the Corporation of Pilots for the Quebec Harbour and
24 Below.

25 THE CHAIRMAN: Will you have one exhibit
26 for each?

27 MR. LALONDE: Well, they are all included
28 in the same exhibit.

29 THE CHAIRMAN: Under the same number.
30



1 French

2
3 ---EXHIBIT NO. 672:

A copy of the letters patent of the Corporation and regulations of the Corporation of Lower St. Lawrence Pilots duly certified by the Secretary of the Corporation as well as a copy of the regulations concerning the pension fund. That is a regulation of the Corporation of Pilots for Quebec Harbour and Below.

10 MR. LALONDE: Q. Captain Rousseau, I would
11 like you to look at this Exhibit 592 which is the Act
12 of the Association and regulations of the Association
13 of Licensed Pilots for the Quebec Harbour and Below.
14 According to this Exhibit 592 I notice that you have
15 been admitted as a member of the Association on the 16th
16 April, 1952?

17 A. That is correct.

18 Q. How did you become a member of the
19 Association? Were you an apprentice at the time? Had
20 you passed your examination as a pilot? Had you already
21 been admitted as a pilot?

22 A. No, I wasn't asked to sign the Assoc-
23 iation Act until after my pilot's licence was issued
24 to me.

25 Q. Was there any form of coercion or
26 threat or pressure exercised on you to have you sign this
27 Act of Association?

28 A. On the part of the administrators and
29 pilots, of course not, and nobody else, of course.

30 Q. Did you regularly attend the annual



1 French

2 meetings of the Association of Licenced Pilots for the
3 Quebec Harbour and below?

4 A. Since I was a pilot I never missed
5 any of these meetings.

6 Q. I would like to draw your attention to
7 Article 23 of these regulations which is on page 8 of
8 Exhibit 592. I notice that according to this article
9 one should elect six directors at each annual meeting.
10 Can you describe what was the elections procedure which
11 was followed in the Association during the various
12 meetings that you attended?

13 A. The procedure of election at the time
14 was approximately the following: When we came on the
15 agenda to the elections, the item of elections, the
16 secretary was standing in front of a blackboard, and then
17 people who wanted to be candidates as directors gave
18 their name to somebody who wrote that on the board, and
19 we could have ten, twelve, fifteen names, everybody who
20 wanted to give his name and have it written on the board.
21 This was the nomination procedure. The election was
22 done by secret ballot. There was a chairman of the
23 election, and there is the election.

24 Q. Was there any special nominations
25 done before?

26 A. No, it was only when the election was
27 going to take place, only when we got to the agenda item
28 of the elections that we proceeded the way I described.

29 Q. Well, this was your practice in 1962
30 when you became a director?



1 French

2 A. Yes.

3 Q. Article 22 on page 8 mentions a quorum
4 of the general assembly will be one-quarter of the members.
5 Did you have always one-quarter of the members, effective
6 members?

7 A. I think so. That could be checked in
8 the Minutes.

9 Q. But you don't remember that there was
10 any difficulty because of lack of quorum?

11 A. No, I don't remember there was any
12 such case.

13 Q. I would like to call your attention to
14 Clause 6 of the Association Act where it is said that
15 the Society is established for the duration of 56 years
16 commencing on its entry into force on the 21st of May,
17 1924 and will therefore terminate on the 21st of May,
18 1980, if all its members which either from date of
19 admission may be or is required until retirement or death
20 of all members, if this event to occur before the
21 termination period no member of the Society can withdraw
22 without the agreement of all the signatories of the
23 present Act unless they cease completely to exercise
24 pilotage. When you signed the regulation was this clause
25 in force?

26 A. Yes. Yes, it was in force and I think
27 is still in force now.

28 Q. Were you aware yourself of the existence
29 of such a clause?

30 A. Yes.



1 French

2 Q. According to that clause no member
3 could withdraw without the agreement of other members?

4 A. That is correct.

5 Q. Then, during the period when you were
6 president of the Association did you have any requests
7 from members who wanted to withdraw from the Association?

8 A. No, no such request.

9 Q. Did you have any complaints from members
10 to the effect that in fact they were bound to the expira-
11 tion of the exercise of pilotage as far as they were
12 concerned?

13 A. No complaints, no complaints by writing
14 or orally.

15 Q. I draw your attention to Clause 10 of
16 the Regulations on page 5, the first paragraph particularly,
17 which reads as follows:

18 "All members commit themselves to pay the
19 "Secretary-Treasurer all moneys earned
20 "according to the tariffs, the distribution
21 "will be made twice a month between the
22 "signatory members in the present Act and
23 "after deduction of overhead expenses."

24 Clause 10 establishes pooling?

25 A. Well, it is pooling funds which goes
26 back to 1860, the time of the old corporation of 1860.
27 It is more than 100 years old.

28 Q. And that system of common fund, is it
29 justified particularly regarding the exercise of pilotage
30 according to your opinion? It seems to have existed for



1 French

2 more than one hundred years in your district?

3 A. Well, if it existed for more than one
4 hundred years there must certainly be some advantages.
5 I think this system is recognized in all pilotage
6 districts in the entire world, if I may say so.

7 Q. What are the main advantages of the
8 common fund?

9 A. The main advantages

10 Q. Couldn't we say that pilots could be like a
11 majority of other professionals who receive a determined
12 salary or exercise freely their professions without having
13 to tie themselves to go through a common fund?

14 A. Well, it is the nature of our work
15 which makes that almost necessary to put the earnings
16 into the common fund, and I think that the Commission has
17 noticed this summer when they visited the various harbours
18 of the Gulf that there was one place where there was no
19 common fund being recognized. That is Gaspé, and you
20 have seen that system and everyone for himself and there
21 have been disagreements among the pilots even if they
22 are cousins, and we are not cousins here.

23 THE CHAIRMAN: Well, one might say that
24 there are some professions where the earnings are put in
25 a pool fund. For the lawyers, and we have all kinds of
26 local societies and proportions made accordingly to the
27 members. There are advantages in each case.

28 MR. LALONDE: Well there is this particular
29 feature in pilotage that all members of the Bar are not
30 in a common fund, but in pilotage in the St. Lawrence,



1 French

2 and perhaps the rest of Canada you have these advantages
3 of, in part, where all members have committed themselves
4 to the deposit in the fund.

5 THE CHAIRMAN: Well, the greatest difference
6 between other professions such as the Bar and other
7 professions, is that the customer can choose his lawyer,
8 advocate while he can't choose his pilot.

9 MR. LALONDE: Well, one could add that the
10 lawyer can also choose his customer while the pilots
11 cannot.

12 THE CHAIRMAN: Well, I wanted to say this
13 because there is a comparison frequently made with other
14 professional corporations and we have completely different
15 principles in this particular case.

16 MR. LALONDE: Q. I notice from reading
17 this Association Act that you have several provisions
18 concerning the assistance to sick pilots or pilots
19 suspended for any reason, particularly Clause 14 of the
20 Association where it is said that in all cases except
21 for cases of drunkenness where a pilot, member of the
22 Society, will be suspended, restricted or have his
23 licence evoked, the pilot will get an allowance equal to
24 50% of the salary of pilots during seven months per year
25 from May to November inclusive each year for two years
26 if his suspension lasts two years or more or during all
27 the time of his suspension, still from May to November
28 inclusive if it lasts less than two years. This is a
29 practice which was established for a long time as you
30 know?



1 French

2 A. Yes, this practice still exists now,
3 also.

4 Q. Does it apply only to suspension cases
5 or did you have also for illness, sickness?

6 A. Yes, cases of sickness.

2 7 Q. I also note in Clause 21 that the
8 Association must hold an Annual General Meeting the
9 second Wednesday of January. In Clause 24 the authority
10 of the directors is mentioned. Can you elaborate on the
11 question of authority of directors according to experience?

12 A. Well, Clause 24 delegated to the
13 directors almost complete control of the fate of the
14 Association for a full year. This was subject to ratifi-
15 cation by the subsequent general assembly.

16 Q. Well, for the purposes of the Commission
17 could we read Clause 24 so it is in the record. I will
18 read Clause 24:

19 "Implementation of this and for all cases

20 "which might occur and which are not foreseen

21 "in the present convention nor by the

22 "regulations the directors will take a

23 "decision which they deem fit and all members

24 "of the Society commit themselves in advance

25 "to approve the decisions so taken subject

26 "to ratification by the general assembly."

27 Mr. Rousseau, in reading this Association Act I notice
28 that one does not seem to have inserted the provision
29 concerning the Association officers. To your knowledge
30 were there any provisions concerning, for instance, the



1 French

2 president and his powers, the secretary

3 A. No, not in the Association Act, but we
4 have such provisions in the present corporation.

5 Q. Well, to your knowledge you don't
6 remember having seen any provision establishing rules
7 of officers and defining their powers?

8 A. If I may I read here a text, Clause 26:

9 "The directors will also proceed with re-

10 "cruiting, will be responsible for recruiting

11 "a Secretary-Treasurer."

12 I think that is an officer, particularly.

13 Q. Yes, but the Association has no pro-
14 vision elsewhere concerning the power of the officers?

15 A. No, there are no officers' powers pro-
16 vided in the Association Act and even the existence of
17 the officers except in the case of the Secretary-Treasurer
18 mentioned in Clause 26.

19 Q. Well, this Association Act was amended.
20 I will draw your attention to Clause 28 which is no part
21 of the present convention and may be modified or revoked
22 except with the agreement of two-thirds of all active
23 members?

24 A. Yes, if we wanted to change anything
25 somebody formulated this proposal and had it signed
26 and tried to obtain signatures until he got two-thirds
27 of the membership and then he would present that to the
28 directors. The Board of Directors would have been bound
29 up by this clause.

30 THE CHAIRMAN: Well, this is what you call a



1 French

2 local policy of corporation.

3 THE WITNESS: That is correct.

4 MR. LALONDE: Q. In your experience was it
5 necessary to submit these amendments to the general
6 meeting?

7 A. I don't think so.

8 Q. Do you remember particular cases where
9 we were presenting requests for amendments of the
10 Association Act and counter-proposals for amendments of
11 the Association Act on the same subject during the same
12 year?

13 A. I don't remember. I think there was
14 those days many requests on many subjects and all kinds
15 of studies. To refer to a particular request, I couldn't
16 do it.

17 Q. Well, the Association Act has in Clause
18 30, the last paragraph of this clause which provides for
19 contributions to the Canadian Merchant Service Guild. I
20 notice also there is an amendment attached to clause 30
21 which says the following:

22 "The last paragraph of clause 30 has been
23 "cancelled by November, 1958."



French

1 Q. I notice that in 1959, January 1959,
2 there was a text reintroduced which seems almost identical
3 with the previous one and according to Exhibit 592, there
4 was a first amendment and then a second amendment. Do
5 you remember these amendments?

6 A. Thank you for refreshing my memory.
7 In those days there was probably in that case one or
8 two members who did not like the way the Guild had acted
9 when they were vessel officers and we had decided to
10 withdraw from the Guild and we succeeded in 1959, I
11 think, to obtain two-thirds of the members.

12 Q. I think it was cancelled in 1958, the
13 23rd of November 1958?

14 A. That is correct, yes.

15 Q. There was a request signed by two-
16 thirds of the members?

17 A. Yes. This was to withdraw from the
18 Canadian Merchant Service Guild.

19 Q. To withdraw?

20 A. That is correct, to withdraw from the
21 Guild and later Bill S-3 was presented and I myself made
22 another request. I went almost to see all the pilots to
23 ask them to please sign this request so that we could
24 belong again to the Guild, which was the only body which
25 could, in the first place, help us to fight this Bill
26 S-3 and I succeeded in getting two-thirds of the
27 signatures and we, therefore, adhered again to the
28 Canadian Merchant Service Guild and this new amendment
29 came into force on the 29th of January 1959. This was
30 very quick.



1 French

2 Q. In the case where you yourself were
3 active in the obtaining of the new amendment, was your
4 amendment submitted to the general annual assembly, or
5 the fact that you had the signatures, and the signatures
6 were filed at the Association was enough?

7 A. Well just the filing of the signatures
8 was enough.

9 Q. Now everybody has noticed that in 1960
10 you have established the Corporation of Pilots of the
11 Lower St. Lawrence. Could you tell us what were the
12 events which brought into being this corporation and the
13 way in which you proceeded to come to the creation of
14 this corporation? I see you have some notes in front
15 of you. These notes were prepared by yourself?

16 A. Yes. It was prepared by myself and the
17 secretary has prepared the list of meetings of committees
18 that we have had on this subject.

19 Q. This was prepared between you and the
20 Secretary-Treasurer, Mr. Menard?

21 A. That is correct. In the annual general
22 meeting of 1960, the President of the Association at the
23 time -- may I mention some names?

24 Q. Yes, of course. Mr. Roland Barras
25 stated in his report, the chairman's report that we are
26 completely studying the regulations of the Association
27 and revising them, if necessary. If I remember correctly
28 I myself, as a member of this Association, proposed or
29 seconded that these regulations be studied. We entered
30 an office -- I was, rather, elected and the other



1 French

2 administrators were elected at that meeting.

3 Q. Which month?

4 A. It was the second Wednesday of January
5 1960.

6 MR. JACQUES: If I may, since we are referring
7 to the report of the meeting, shouldn't the witness refer
8 to the minutes of the Association and the reports of the
9 assemblies, if they have been issued?

10 MR. LALONDE: There is a complete book of
11 minutes, and this will be filed today with the counsel
12 of the Commission and I intend to produce some certificates
13 signed by the Secretary-Treasurer on excerpts from these
14 meetings.

15 THE CHAIRMAN: Well in order not to prolong
16 unnecessarily the meeting, we will proceed as you have
17 stated and you will see later that the required exhibits
18 will be produced.

19 MR. LALONDE: Well, since, of course, there
20 are a number of things which will be said by the witness
21 which are not in the minutes, I think it is better to
22 proceed the way we do.

23 A. So what we did, well we decided to
24 create a Committee to first study the by-laws of the
25 Association. We asked, by letter, to the ex-president,
26 Mr. Barras to sit with us and help us out, as well
27 as other pilots. We have tried to choose amongst the
28 oldest, middle-aged pilots and younger pilots.

29 Q. I show you a certified extract of the
30 Board of the Association of Licensed Pilots for the Quebec



1 French

2 Harbour and below at a meeting held on January 15th 1960.

3 Could you please tell me if you have read this excerpt
4 from the minutes of that meeting?

5 A. Yes. I am sorry, I made a mistake
6 here. I was not the one who had moved nor seconded the
7 establishment of such committee. But, at any rate, we
8 have asked Mr. Roland Barras and six other members to
9 constitute this committee.

10 Q. May I file this as Exhibit 673.

11

12 ---EXHIBIT NO. 673:

Excerpt of the minutes of
the meeting of the Board
of the Association of
Licensed Pilots for Quebec
Harbour and below held on
January 15th, 1960.

13

14

15

16 A. Following that we wrote all the members
17 of the Association, giving them an idea of what we had
18 done only now giving them the name of the pilot members
19 of that Committee and asking them to be kind enough to
20 submit suggestions that they deemed necessary in order
21 to see to it that our study was well made.

22 Q. I show you a letter addressed by Mr.
23 Wilfred Menard, Secretary-Treasurer, to the members of
24 the Association dated January 15th, 1960. Do you think
25 this letter is in accordance with the one which was sent
26 to the members at that time?

27 A. Yes, that is it.

28 Q. I would like to file this exhibit as
29 Exhibit 674.

30



French

---EXHIBIT NO. 674:

Letter sent by Mr. Wilfred Menard, Secretary-Treasurer of this Association, sent to the members of the Association concerning committee aiming at studying and revising the by-laws of the Association. This letter is dated January 25th, 1960.

Q. I note that according to that letter the members of the Committee were the following: Jean Paul Blouin, Paul-Emile Cloutier, J. August Dionne, Yves Gosselin, Roger Gregoire, Edgar Morin and Mr. Andre Bedard is the responsible director.

"As the Board likes to have the consent of all members, I would like to ask you to co-operate fully with the committee and to send in suggestions in order to amend the by-laws. All your suggestions would be studied and welcome."

Could you please tell me if the pilots mentioned in that list are pilots chosen amongst the youngest, amongst the young crew or if they do represent just the distribution amongst the pilots?

A. Well, we had written to another pilot who was older than the pilots mentioned in that letter, but that pilot, aside from Mr. Barras, had also refused to sit on that committee.

Q. Who was that pilot?

A. If I remember correctly it was Mr. Jean Bernier.

Q. And amongst the pilots shown on that



1 French

2 list are there pilots that could be classified amongst
3 the oldest amongst your group, or the youngest?

4 A. Yes. There are three here who were
5 certainly not amongst the oldest, but middle-aged, Jean
6 Paul Blouin and Paul-Emile Cloutier.

7 Q. You mean middle-aged pilots, not pilots
8 of the middle ages. What was the experience of these
9 pilots in the field of pilotage?

10 A. A long experience. Mr. August Dionne
11 had already been a member of the Board. Cloutier also
12 and the third one, Jean-Paul Blouin I don't think so.

13 Q. Did it take long experience in the
14 field of pilotage -- for how many years had they been
15 piloting approximately?

16 A. About ten years. Ten to fifteen years.

17 Q. And what happened after this Committee
18 was established?

19 A. Well the Committee sat many times.
20 Met many times and revised this Act of the Association.
21 This Committee had made suggestions and has prepared that
22 first draft. In the meantime, we had communicated with
23 our legal adviser, Paul Gerin Lajoie, in order to tell
24 him about our ideas, and our legal adviser met with the
25 committee and the board at the time in order to study
26 these recommendations. Subsequently we obtained from
27 that legal adviser a legal opinion to the effect that
28 would it be best to remain under the aegis of the
29 Association or to incorporate ourselves.

30 Q. Have you written to the members after



1 French

2 the committee had finished its work in order to submit
3 a report to the members concerning this state of affairs
4 at that time, and concerning the amendment to the
5 Association?

6 A. Well if I remember correctly, we
7 informed the members through a bulletin or through a
8 letter about the different developments occurring at
9 that time.

10 Q. I would like to show you a bulletin
11 addressed by Mr. Wilfred Menard to the members of the
12 Association dated March 7th 1960. Do you remember that
13 such a bulletin was sent out to members?

14 A. Yes. I remember very well.

15 Q. I would like to show you another
16 bulletin now dated March 11th 1960 sent by the same
17 person and addressed to the members of the Association.
18 Did you read that bulletin?

19 A. Well I more than read it because all
20 the bulletins prepared in our office, ever since I have
21 been a president -- well the secretary-treasurer and
22 myself always drafted these bulletins.

23 Q. I show you another bulletin dated
24 March 18th 1960. Could you please identify it?

25 A. Yes. The secretary-treasurer and
26 myself have prepared it. At any rate, my name is shown
27 at the bottom of it.

28 Q. Then another one of March 20th 1960?

29 A. Yes.

30 Q. May I file these bulletins in a bundle



1 French

2 as Exhibit 675.

3
4 ---EXHIBIT NO. 675:

Bulletin of the Association
of Licensed Pilots for the
Quebec District. Bulletin
addressed by the Secretary-
Treasurer, Mr. Wilfred
Menard to the members of
the Association of Licensed
Pilots for the Quebec
Harbour and below concerning
an amendment to the by-laws
of the Association.
Bulletin of March 7, 1960
to March 23, 1960.

11
12 MR. LALONDE: For the purpose of the
13 Commission, I would like to mention paragraph 3 of the
14 bulletin of March 7th 1960.

15 "At the general assembly, a resolution was
16 "adopted in order to study the by-laws of
17 "the Association and to bring about the
18 "necessary modifications.

19 The Committee was created in order to study this question
20 and a letter was sent out to all the members requesting
21 them to send in their recommendations. After having
22 received the recommendations from two members only, Mr. Duchai
23 and Mr. Latulippe, the Committee met on many occasions
24 to study the by-laws and make recommendations as to
25 their amendments. These recommendations were sent to
26 Mr. Paul Lajoie, the lawyer, to study the Act of
27 Association as well as the by-laws.

28 Mr. Lajoie came to Quebec and convened a
29 few members of the Committee in order to obtain further
30 information and then drafted a project which was then



1 French

2 presented to the Board. This draft was studied and met
3 upon, a meeting of the Board where Mr. Paul Lajoie was
4 present. Mr. Paul Lajoie is drafting, at the present
5 time, the project which will then be sent, submitted to
6 the members. It will be posted at or around March 14th.
7 Mr. Paul Lajoie will be in Quebec on March 17th and 18th
8 in order to give all necessary explanation and explain
9 the recommendations of the members."

10 Do you remember having received observations
11 or recommendations only from two pilots at that time?

12 A. This is true, yes.

13 Q. In that text you refer to a meeting
14 which would have been held on March 17th and 18th and I
15 notice that your bulletin of March 11th cancels the
16 meeting of March 17th and 18th?

17 A. I think that there was a delay in
18 preparing the third project and we had to delay these
19 meetings. I think I have the dates with me.

20 Q. You mentioned Mr. Lajoie could not
21 be present because he was representing the pilots at
22 the American Congress at that time.

23 A. Yes.

24 Q. And I notice, aside from that, that,
25 through your bulletin of March 18th 1960, you state
26 therein, after an introduction relating to the activities
27 of the Committee, and I quote:

28 "In order for each member to have the great
29 "opportunity of taking the floor and asking
30 "for explanations, we have decided to hold



1 French

2 "two preliminary meetings at which Mr. Paul
3 "Lajoie will be present. We will advise you
4 "of the date of the general special meeting.
5 "The first preliminary meeting will be held
6 "on March 22nd at two o'clock in the after-
7 "noon at the office of the Association for
8 "the members whose family names starts with
9 "the letters A to G inclusive. The second
10 "meeting will be held on March 23rd at nine-
11 "thirty a.m. for all the other members. The
12 "draft by-law will be handed in to you at
13 "these preliminary meetings which are extremely
14 "important.

15 "We do hope that you will be present."

16 And you add further:

17 "You will note, upon reading this
18 "draft, that it has many radical changes.
19 "We ask you to wait for this project to be
20 "explained to you at the meeting before
21 "approving or disapproving either one article
22 "or another. A favourable or unfavourable
23 "propaganda to the project before each and
24 "every one being fully cognizant of its
25 "contents could be harmful to each and every
26 "one of us."

27 Had you attached therein a project to this
28 notice of a meeting, because in that bulletin you refer
29 to a project or the draft?

30 A. Well I am sorry, we did not get one



1 French

2 project. We worked on three different drafts. The first
3 one was the draft which had been examined by the Committee
4 and the Board with the legal adviser. From this first
5 draft we brought about further amendments and the
6 recommendations and from that stemmed the second draft
7 which I have here, and then the second draft was studied
8 again word by word and from that second draft stemmed a
9 third draft, that I have here also and it is this third
10 draft which has been submitted to the members and was
11 studied word for word at the preliminary meeting that
12 we mentioned in the bulletin.

13 It was not my bulletin, but it was our
14 bulletin, as I was acting on behalf of the Board, not
15 on behalf of my own personal name.

16 Q. Does the draft that you have here
17 entitled "Draft March 18th, 1960, draft for the Corpora-
18 tion of the Lower St. Lawrence Pilots" the text which
19 was set out to the members at that time?

20 A. Yes. It is the latter draft that the
21 members have received.

22 Q. At the same time as that bulletin that
23 I mentioned, dated March 18th, 1960?

24 A. I can't recall if we have sent them
25 to them by mail or if we just distributed it when they
26 came to the preliminary meeting. I know that those who
27 did not come to the preliminary meeting, well we sent it
28 out by mail, this bulletin to them. This draft.

29 Q. You mean this draft of the Corporation?

30 A. Yes.



1 French

2 Q. I note that the text that you handed
3 me includes many writings in ink in the margin and in
4 many different places. Did you write in these notes
5 yourself?

6 THE CHAIRMAN: Mr. Lalonde, I see that you
7 want to file this document. Do you think that it is
8 absolutely essential for this document to be filed?

9 MR. LALONDE: I think it is a text which
10 bears a legal opinion with the draft they had studied
11 concerning the advantages of Corporation and all the
12 different aspects of incorporation. It is not particularly
13 useful insofar as the by-laws which have been studied
14 at that time. Only the legal opinion which was used as
15 a basis for the establishment of the Corporation should
16 be useful to the Commission.

17 THE CHAIRMAN: Everything that happened
18 during those meetings, unless it is absolutely necessary,
19 well it is going to lengthen the evidence perhaps
20 uselessly.

21 MR. LALONDE: My lord, if you wish, I may
22 file the text of the legal opinion itself and if you
23 allow me, I can put it at the disposal of the counsel
24 of the Commission, the draft by-law and if he deems it
25 useful, well he may file such but I could say this
26 document has been filed as such.

27 THE CHAIRMAN: We are going to give it a
28 number immediately. It will be Exhibit 676.

29

30



1 French

2 ---EXHIBIT NO. 676:

Legal opinion as given by
Mr. Paul Gerin Lajoie
to the Association of
Licensed Pilots for the
Quebec Harbour and below
dated March 18th, 1960
concerning the eventual
creation of a corporation
of pilots in the Quebec
District.

8 Q. Were these meetings held?

9 A. Yes. These meetings were held as I
10 stated in the bulletin. The pilots were quite interested
11 and we studied these by-laws word by word and we have
12 still asked the members to make all the suggestions that
13 they believe necessary they would like to make even
14 insofar as this third draft was concerned and I recall
15 full well that at those particular meetings I did every-
16 thing in my power in order to ask the eldest, who had
17 long experience to come and sit next to me. I even
18 asked Mr. Bedard to come and sit next to me.

19 Q. At these meetings were there any
20 suggestions or amendments proposed during the meetings?

21 A. Yes, because I believe that the final
22 text that I have here is not the same one as the third
23 draft because there was some further amendments made.

24 Q. Now on Exhibit 675 you say that you
25 convened a special general meeting of all members for
26 March 29th at the Palais Montcalm. Was that meeting
27 held?

28 A. Yes, it was held at the Palais Montcalm
29 and once more if we held this meeting at the Palais
30 Montcalm it was due to the fact our office was too small



1 French

2 in order to receive all the pilots. There was a great
3 number of pilots present at that meeting, and once more
4 at that meeting we studied these by-laws word for word
5 starting from the first section to the very last.

6 Q. Now at that meeting did you decide to
7 create the corporation? Was there a vote taken? Were
8 there signatures asked for?

9 A. After having explained the third draft,
10 we have asked the members if they were interested in
11 that corporation. Then they were requested to sign a
12 membership paper and it is only at that last meeting that
13 we have asked the members to sign a membership receipt,
14 and not at the preliminary meeting in order to give the
15 necessary time to each and every pilot who had the by-laws
16 before him to study them and ponder them.

17 Q. Did you ask the pilots to sign at
18 sight the membership cards or request ---

19 A. Well only at the last meeting we have
20 asked the members to sign this membership form.

21 Q. I would like to show you two documents.
22 One entitled "Association of Licensed Pilots for the
23 Quebec Harbour and below, modifications to the Act of
24 Association" and the other "Corporation of the Lower St.
25 Lawrence Pilots request for membership." Are those the
26 documents which were handed to the members in order to
27 obtain a signature if they desired to join the Corpora-
28 tion of the Lower St. Lawrence Pilots?

29 A. Yes.



1 French

2 A. Yes, each member received these two
3 forms.

4 Q. You say that you didn't ask the pilots
5 present at the two preliminary meetings to sign. Were
6 there not certain members who would have been ready to
7 sign at that time? Why did you decide to wait for the
8 special general meeting in order to ask for the signa-
9 tures?

10 A. Well, at the preliminary meeting after
11 having studied it the pilots, certain members showed
12 their enthusiasm and they felt it was a very good idea
13 and even requested to sign immediately. In order to
14 give each and every one an opportunity to study all the
15 by-laws at hand we preferred to wait till the first
16 general meeting which was held, as I mentioned previously
17 in the Palais Montcalm.

18 THE CHAIRMAN: Are you filing these two
19 forms?

20 MR. LALONDE: Yes. If you please, my lord,
21 I am going to file them. They are not dated, but they
22 are two mimeographed forms. One is the Act of Association
23 of Licensed Pilots for Quebec Harbour and below and
24 the other is entitled Membership Form of the Corporation
25 of Lower St. Lawrence Pilots. These documents are
26 quite basic legal forms in the Association and Corpora-
27 tion and similar documents which apply to other corpora-
28 tions will be studied subsequently. That is why these
29 documents should be read out entirely in the record so
30 that we may have immediate translation of them.



1 French

2 THE CHAIRMAN: Would you please do so as
3 soon as possible.

4 MR. LALONDE: I will try.

5 THE CHAIRMAN: The Secretary tells us it is
6 not necessary to have them as exhibits right now. We
7 will cancel Exhibit 667.

8 MR. LALONDE: The first document is entitled
9 Association of Licensed Pilots for Quebec Harbour and
10 Below. Modification of the Association Act. The Act
11 of the Association constituting the Association of
12 Licensed Pilots for the Quebec Harbour and Below (herein-
13 after called the Association) passed in Quebec on the
14 21st, 1924 is presently modified and amended by the
15 addition of the following provisions which will have
16 precedence over any other provisions in force at the
17 present time in the said Act of the Association. I
18 state that I consent that such amendments and modifica-
19 tions be made. That is:

20 1. The general by-law 1 of the Corporation which
21 is to be constituted under the style of the
22 Corporation of the Lower St. Lawrence Pilots
23 or under any other style which may be
24 determined by the Secretary of State of
25 Canada (hereinafter called Corporation), and
26 any other by-law or resolution, present or
27 in the future of the said Corporation and all
28 the modifications of the latter would become
29 now or will become automatically as they
30 will be voted by-laws and resolutions of the



1 French

2 Association as if the name of the Association
3 was substituted for that of the Corporation
4 unless there is a statement to the contrary.

5 2. These by-laws and resolutions of the Corpora-
6 tion shall be added to the Act of the
7 Association and to the by-laws and resolu-
8 tions of the Association at any time in force
9 and in case of conflict the by-laws and
10 resolutions of the Corporation will have
11 precedence and will certainly be fully
12 applied.

13 3. In the Acts made and all the legal gestures,
14 including all elections and nominations of
15 the Corporation will be held at the same time
16 and automatically be the act, actions and
17 legal gestures including elections and
18 nominations of the Association unless there
19 is a statement to the contrary.

20 4. All the rights, privileges and obligations
21 of the Association may be transferred to the
22 Corporation by the Board of the Association
23 in part or entirely and at time that will
24 be determined by the same Board.

25 This was done on 1960.

26 Signature

27 Capital letters,

28 Address

29 Witness".

30 The second document is entitled Corporation



French

of the Lower St. Lawrence Pilots Membership Form.

"I the undersigned member of the Association
"of Licensed Pilots of the Quebec Harbour
"and below make an application to become a
"member of the Corporation which will be
"constituted under the style of the Corpora-
"tion of Lower St. Lawrence Pilots or any
"other style that the Secretary of State of
"Canada may want to give it and I commit
"myself to abide by the by-laws of that
"Corporation.

"I consent for the present to repeal
"and cancel the Act of Association constitu-
"ting or creating the Association of Licensed
"Pilots for the Quebec Harbour and below; I
"consent so that all of the directors being
"on the Board of the Association of Licensed
"Pilots for Quebec Harbour and below do
"everything that they will deem useful or
"necessary for the dissolution of the said
"Association or to transfer all its goods,
"rights, and privileges to the Corporation
"and this Association will effectively be
"dissolved starting on the day that will be
"stated on my behalf by the Directors who
"will then be on the Board of the Association
"of Licensed Pilots for the Quebec Harbour
"and below under the condition that at least
"two-thirds of the members in good standing



1 French

2 "of the Association have, beforehand, signed

3 "a document similar to this one here.

4 "This document is signed on

5 "Signature

6 "Capital Letters

7 "Address

8 "Witness."

9

10 ---Luncheon Adjournement.

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1 ---On resuming at 2:30 p.m.

2 Q. Captain Rousseau, upon adjournment
3 I had the two documents which were the basis of the
4 incorporation of the Corporation of the Lower St. Lawrence
5 Pilots and which were amending as well the by-laws for
6 the Association of Licensed Pilots for the Quebec Harbour
7 and below. After that special general meeting which
8 was held how many members signed the documents that
9 I mentioned previously in order to amend the Association
10 and to create the Corporation?

11 A. 53 members signed the modification as
12 well as the membership form.

13 Q. How many members composed the Corpora-
14 tion at that time?

15 A. Could I refer to my notes? There were
16 74 members.

17 Q. Which amounted to more than two-thirds
18 of the members of the Association?

19 A. Yes.

20 Q. I have here, my lord, a photostat
21 exhibit from the minutes of the Association of the
22 Licensed Pilots for the Quebec Harbour and below, a
23 meeting held on May 17th, 1960, a special meeting of the
24 Board of the Association at which it is noted that before
25 May 9th, 1963 53 of the member of the Association had
26 signed the documents I read here this morning amending
27 the Act of Association and that at the meeting after
28 the following: The modification of this Act of Associa-
29 tion upon receipt of consent of more than two-thirds of
30 the members of the Association it is enforced and



1 applicable upon the date of the constitution the
2 Corporation of the Lower St. Lawrence Pilots, that is
3 May 9th, 1960, and secondly it is proposed and resolved
4 unanimously that the present Minutes be closed and that
5 we refer from now on to the Minutes of the Corporation
6 of the Lower St. Lawrence Pilots in accordance with the
7 provisions and the modifications mentioned above and
8 the meeting is adjourned". I would like to ask the
9 Secretary to certify this photostat as a true copy and
10 have it filed as Exhibit 677.

11
12 ---EXHIBIT NO. 677:

Minutes of meeting held
May 17th, 1960 of the
Association of Licensed
Pilots for the Quebec
Harbour and below.

13
14
15
16 Q. If I understand you properly, starting
17 at that date of the mentioned meeting, that is May 17th,
18 1960 you then started to operate on the basis of the
19 Corporation of the Lower St. Lawrence Pilots. Those are
20 the by-laws of the Corporation of the Lower St. Lawrence
21 Pilots which have been implemented as an amendment of the
22 Association starting at that date, is it not?

23 A. Yes.

24 Q. You yourself, if I understand properly,
25 acted on the Board, acted as a provisional Board of the
26 Corporation of the Lower St. Lawrence Pilots until the
27 general annual meeting?

28 A. Yes, until the next general annual
29 meeting, that is the second Wednesday of January, 1961.

30 Q. You mentioned that at that time of the



1 French

2 incorporation of the Corporation 53 of the 74 members
3 had signed the document to which I referred before the
4 adjournment this morning. How many members has the
5 Corporation of the Lower St. Lawrence Pilots at the
6 present time?

7 A. Well, at the present time there are 77
8 members.

9 Q. Pardon me?

10 A. 77 pilots, I should say, six of which
11 haven't signed as yet the Act of Incorporation, that is
12 77 pilots, are members of the Association of Licensed
13 Pilots for the Quebec Harbour and below.

14 Q. So there are 71 members then for the
15 Corporation for the Lower St. Lawrence Pilots?

16 A. Yes.

17 Q. Were there any pressures or threats
18 or intimidation tactics that were tried in order to
19 force the pilots of your district to become members of
20 your Corporation?

21 A. Not that I know of. My answer would
22 be the following: There were no pressures at all.

23 Q. On the other hand I note that you have
24 kept in existence the Association of Licensed Pilots for
25 the Quebec Harbour and below?

26 A. Yes.

27 Q. The document entitled Application Form
28 for Membership that I read this morning authorized the
29 Corporation to abolish the Association as long as more
30 than two-thirds of the members of the Association would



1 French

2 have signed such an application form, membership form.

3 I note that you have more than two-thirds of the members
4 of the Association have signed that document, but it
5 seems to me that you haven't fully exercised the power
6 that you had to abolish the Association. Could you tell
7 us, give us some explanations?

8 A. As I explained beforehand there were
9 six members who hadn't wanted to join the Corporation
10 for reasons which are best known to themselves. By
11 abolishing the Act of Association we understand that
12 these colleagues would have lost rights or privileges
13 and we deemed it a good idea in order to fully understand
14 one another, it would be a better idea not to abolish
15 the Association.

16 Q. What rights and privileges would these
17 six members have lost if you had abolished the Associa-
18 tion?

19 A. They would have lost the privilege,
20 for example, of receiving, for example, assistance in the
21 case of illness or suspension which is provided for in
22 our by-laws, and also they would lose the privilege of
23 pooling of earnings and also of being members of organiza-
24 tions such as the Federation of the St. Lawrence Pilots
25 or the Canadian Merchant Service Guild, and perhaps
26 further reasons I can't think of at the present time.

27 Q. Do you hold a yearly meeting for the
28 Association of Licensed Pilots for Quebec Harbour and
29 below?

30 A. Yes.



1 French

2 Q. Despite the general annual meeting of
3 the Corporation you also hold a general annual meeting
4 of the Association of the Licensed Pilots for the Quebec
5 Harbour and Below?

6 A. Yes, we send these people -- we send
7 them a letter notifying that there will be a meeting of
8 the Association of Licensed Pilots for the Quebec Harbour
9 and Below on the second Wednesday of January for which
10 there is a special agenda.

11 Q. Is this notice sent to all the members
12 of the Association?

13 A. Yes.

14 Q. And do you have an agenda which is
15 prepared for that meeting of the Association?

16 A. Yes. We have an agenda as we have an
17 agenda for the meeting of the Corporation.

18 Q. Insofar as you can remember ever since
19 the inception of this Corporation do you think that
20 members of the Association have attended the meetings
21 of the Association itself?

22 A. At the meetings of the Association --
23 there is a member of the Association who attended one
24 meeting of the Corporation.

25 Q. My question is as follows: Are there
26 any members of the Association including the one you
27 have mentioned who are not members of the Corporation
28 amongst the six, for example, who are not members of the
29 Corporation, do they attend the general annual meeting
30 convened ever since 1960?



1 French

2 A. I don't think so with the exception of
3 the one that I mentioned, perhaps he was there when the
4 meeting of the Association was opened. I don't remember.

5 Q. Mr. Koenig, a witness, mentioned the
6 fact, or rather alleged that certain documents or draft
7 documents would have been given to the members convened
8 at a special general meeting or the preliminary meeting,
9 with the understanding that the official document would be
10 signed later on. I am talking of the meetings of the
11 Association for the modification of the Act of Associa-
12 tion. Would such a supposition have been made to the
13 members of the Association, either at the meeting or
14 any other way?

15 A. I think that Mr. Koenig is mistaken
16 when he alleged such a thing because those are the two
17 documents that we have given to the members that I have
18 here now before me, and which have been filed before the
19 Commission.

20 Q. Which have been read before the
21 Commission?

22 A. And we never mentioned any other docu-
23 ment to be signed later.

24 Q. And you were attending all these
25 meetings yourself?

26 A. The meetings?

27 Q. The preliminary and the general special
28 meeting?

29 A. Yes, certainly, I was chairing those
30 meetings.



1 French

2 Q. And at those meetings was it clearly
3 told to the people who were present that the documents
4 that they were signing were the appropriate and final
5 documents that they were signing?

6 A. Well, you said at those meetings --
7 as I said these documents were signed only at the last
8 meeting, that is at the general meeting of the members.
9 At the two preliminary meetings no mention was made of
10 having members sign in order to become members of the
11 Corporation.

12 Q. So at the last general meeting was
13 it clearly explained to the persons present that the
14 documents that they were signing were the final documents
15 on the subject?

16 A. I think that the legal adviser that we
17 had at that time advised us very well and he is the one
18 who explained to the members all the papers they signed
19 and I wasn't the one to give the explanation about that
20 because we had a legal adviser, and I think that he
21 gave an excellent explanation.

22 Q. I am going to ask my question in
23 another way: Was there anything in the explanation
24 given at this meeting which might have led the members
25 to believe that this was only a draft which would be
26 signed later on in another way by the members?

27 THE CHAIRMAN: I think that there is an
28 assumption here to the effect that one doesn't sign a
29 draft paper.

30 MR. LALONDE: Because of the different



1 French

2 allegations that have been made before I thought it would
3 be a good idea to clarify it.

4 THE CHAIRMAN: Very well.

5 MR.LALONDE: Q. Mr. Koenig told us of an
6 incident when he met you on the street a few days later,
7 and I don't have the exact context of his evidence. I
8 think he stated he had asked you to withdraw his member-
9 ship from the Corporation. Do you remember having such
10 a meeting?

11 A. Yes, I remember such a meeting.

12 Q. Do you remember the content of such
13 a conversation? Did Mr. Koenig, as a matter of fact,
14 ask you to hand him back his membership form?

15 A. That is to say that Mr. Koenig seems
16 to be a gentleman who likes to rely upon hearsay.

17 Q. Would you please answer directly to
18 my question.

19 A. Your question -- to answer your question
20 I met Mr. Koenig who told me, I am just coming from the
21 office, there are certain members who are not very nice
22 towards me, who have had some hard words to tell me, and
23 I went to see the Secretary in order to withdraw my
24 membership from, and later on, I think I knew about this
25 whole thing and I left it in the hands of Mr. Menard.

26 At that point I told him that it was difficult in a
27 group such as ours to see to it that all members have
28 only laudatory remarks to make about each and every one
29 and I told him that these things can arise and not to
30 take, give too much importance to such words that had



1 French

2 been said and he left it at that and we left one another.

3 Q. So this meeting, according to what he
4 has said and what you have said, this meeting was held
5 after he had seen Mr. Menard?

6 A. Yes. This is what he told me.

7 Q. Did you discuss any of this matter
8 with Mr. Koenig about that time? Did he make any request?

9 A. No. Mr. Koenig never made any request.
10 He told me he had gone to the office in order to withdraw
11 his forms, or his membership form.

12 Q. Did you ever receive ever since that
13 date a request from Mr. Koenig to the effect that he
14 would like to withdraw from the Corporation?

15 A. No. No request has been made either
16 orally or written request. Never received any oral
17 request, at any rate.

18 Q. What do you mean by that?

19 A. That is to say we asked the members,
20 whenever it was a serious matter, just to do everything
21 by letter, not orally.

22 Q. Have you received a request from other
23 members of the Corporation to the effect that they would
24 like to withdraw from the Corporation, since 1960?

25 A. No. We received none.

26 Q. Captain, also I would like you to
27 take Exhibit 672, in particular the by-laws of the
28 Corporation of the Lower St. Lawrence Pilots and I would
29 like with you to revise certain sections of these by-laws.
30 I note that in Sections 4, 5 and 6 you provide for three



1 French

2 categories of members. For example, active members,
3 apprentice members and honorary members. Section 5,
4 concerning the apprentice members provides that the
5 apprentices of the district might be members of the
6 Corporation.

7 A. Yes.

8 Q. Is Section 5 in force at the present
9 time?

10 A. No.

11 Q. Consequently there are no apprentice
12 members of the Corporation of the Lower St. Lawrence
13 Pilots?

14 A. No, not today.

15 Q. Is there any special reason why you
16 do not implement Section 5 of the by-laws?

17 A. Well, the apprentice members that we
18 have at the present time are, first of all, under the
19 direct authority of the D.O.T. or the Minister, if you
20 wish, and in the second place no request from these
21 apprentice members has been made in order to become
22 members of our Corporation.

23 Q. Section 6 provides for honorary members.
24 Do you have any at the present time?

25 A. No, not yet.

26 Q. Consequently the only members that
27 you have at the present time are active members as pro-
28 vided for in Section 4?

29 A. Yes. At the present time we have 71
30 members.



1 French

2 Q. If we pass on to Section 8 now entitled
3 "Suspension and Exclusion" this Section provides, and I
4 quote:

5 "That any active member or apprentice member
6 "can be excluded from the Corporation and
7 "deprived temporarily from the exercising of
8 "his rights as a whole or in part by the
9 "decision of the Disciplinary Committee or
10 "the Appeal Committee in conformance with the
11 "provisions of this by-law."

12 Is this section in force?

13 A. No, not at the present time because
14 the members did not want, up to now, to create what would
15 be called a Disciplinary Committee nor an Appeal Committee.

16 Q. Is that what is provided for in Section
17 104 of your by-laws, the general by-laws number one, which
18 is as follows:

19 "This by-law will be effective the day of
20 "the issuance of the Letters Patent consti-
21 "tuting the Corporation, with the exception
22 "of Sections 8, and 43 to 49 inclusive which
23 "will be enforced on the date that may be
24 "set through a resolution of the general
25 "meeting of the members."

26 I understand that Sections 43 to 49 deal with the
27 Disciplinary Committee and the Appeal Committee so these
28 provisions are not in force at the present time?

29 A. No.

30 Q. Were they in force at any time, ever



1 French

2 since the creation of your Corporation?

3 A. No.

4 Q. Now, I would like you to read Section
5 9, for example, resignations. (a) "No active member
6 can resign or withdraw from the corporation if he is not
7 forced to do so as provided for in this by-law, so long
8 as he does not abandon definitely the profession and the
9 exercise of pilotage in the district." (b) has to do with
10 apprentice members and as you don't have any apprentices
11 as members at the present time, we can leave that part
12 aside. The same provision is made for the apprentice
13 members?

14 A. Yes.

15 Q. Also under Section 7 there is a pro-
16 vision, for example, about losing the membership card?

17 A. Yes.

18 Q. This section seems to indicate that
19 once one becomes a member of the Corporation, one can
20 no longer withdraw from it, practically speaking, so
21 long as one remains a pilot in the district?

22 A. Yes.

23 THE CHAIRMAN: Excuse me, is there an English
24 copy of these by-laws, Mr. Lalonde?

25 MR. LALONDE: No, there is none. We will
26 have English copies of the by-laws of certain Corporations
27 which are similar to those.

28 THE CHAIRMAN: At any rate, I am going to
29 ask the Secretary to see to it that this document is
30 translated because it will be absolutely essential.



1 French

2 Q. You said before that you had not
3 received any application from any member for withdrawal
4 from the Corporation?

5 A. No.

6 Q. Now don't you think it is an abuse,
7 or rather it gives considerable authority or power to
8 the Corporation, or it restricts too much the freedom of
9 members at that time?

10 A. Well to answer I would say they are
11 about the same provisions, they were about the same
12 provisions in the Association Act.

13 Q. Well what we read this morning was up
14 to 1980?

15 A. Yes, but in any event when we prepared
16 these by-laws, as I said this morning, each article has
17 been explained several instances, in many instances to
18 the members who then later signed the clearance form and
19 then we had a very good legal adviser who advised us to
20 proceed in this way.

21 Q. In those days.

22 A. Well this also has been approved by
23 the Secretary of State when we made our application for
24 Letters Patent.

25 Q. Is it important, for the exercise of
26 your profession, that you have the same provision in
27 your by-laws?

28 A. Well for the proper functioning of the
29 organization, I think that it is necessary because, and
30 here I specified previously, you are perhaps aware that



1 French
2 members, as I said this morning, like to present some
3 requests and two days later we are trying to sign another
4 request to abolish what they had asked for two days
5 before, three days before. Therefore, I think this is
6 not a very good thing to have an opinion today and to
7 have another one or the opposite opinion the following
8 day.

9 Q. Well do you mean then that you would
10 see a serious disadvantage in the exercise, not only of
11 your profession, but of your professional organization
12 if there were frequent changes of members, incoming and
13 outgoing members?

14 A. That is correct.

15 Q. Well according to the present state of
16 their by-laws, and particularly concerning Article 8,
17 are you free, either as general assembly or Board of
18 Directors, to exclude a member from the Corporation at
19 the present time?

20 A. No.

21 THE CHAIRMAN: And this is because Paragraph
22 8 is not in force.

23 Q. I know that you have already testified
24 on this, but concerning Article 9 could I ask you the
25 following question: Are the pilots of your district
26 completely free to adhere to this Corporation?

27 A. Are they free? Yes, they are absolutely
28 free.

29 THE CHAIRMAN: I can see also in Paragraph
30 4(c) that they can also be rejected.



1 French

2 THE WITNESS: Yes your lordship. I omitted
3 to mention this this morning, but we also have a committee
4 to promote adherence which could deal with these things
5 and report to the Board of Directors.

6 Q. If he was rejected, he could still
7 exercise pilotage?

8 A. Yes, because he would still be a
9 member of the Association of Pilots. I would also add,
10 if I may, because he has a pilot's licence.

11 Q. Well did you ever refuse, since 1960,
12 the admission of any member?

13 A. No.

14 Q. Let's now go to Article 15, particularly
15 paragraph (c). The previous articles mentioned that you
16 have on the Board of Directors seven members. Isn't
17 that correct?

18 A. That is correct.

19 Q. Now excuse me, before we go to 15(c)
20 I would say 12(a) says that the President cannot exercise
21 this function for more than three consecutive years. Is
22 this what you referred to this morning when you said
23 this was your last term?

24 A. That is correct.

25 Q. Now as regards other administrators or
26 officers, Article 12 says that they are all eligible?

27 A. Yes, there are some officers which are
28 elected for two years. That is every year we must elect
29 these officers.

30 Q. Article 15(b) or (c) provides that no



1 French

2 notices are required for the first assembly of the
3 officers, during which officers are elected. I think
4 this is almost a universal provision in the corporate
5 law. Now with regards other assemblies, do you receive
6 regularly the convening notices according to this pro-
7 vision?

8 A. Yes, in all cases.

9 Q. Article 17 mentions remuneration and
10 refund of expenses. 17(a) mentions that the officers
11 and members of committees receive a remuneration and
12 other advantages foreseen either by by-laws or by
13 resolution of the general assembly. (b) Officers, members
14 of committees are entitled to receive refund of their
15 travel expenditures and other expenses incurred in the
16 exercise of their function, or to receive a fixed
17 allowance which is determined by the Board of Directors
18 through resolution unless the general assembly decide
19 otherwise. Do you have a remuneration as such as being
20 administrator?

21 A. I receive no remuneration, neither
22 myself nor the other officers. This is purely voluntary
23 work.

24 Q. I think we discussed regulation number
25 two when during the navigation season you get half a turn
26 per meeting?

27 A. Yes. This is foreseen by regulation
28 number two.

29 Q. Well apart from this one assignment or
30 allocation, you receive no other allowance?



1 French

2 A. No.

3 Q. Now concerning the refund of expenses,
4 or fixed allowance which is determined by the Board of
5 Directors through a resolution unless the whole assembly
6 decides otherwise, now since the Corporation was
7 established how do you deal with the refund of expenses?
8 Is it a determined refund against a statement of account,
9 or is it a lump sum?

10 A. Well in the Spring of 1960 we have
11 provided a form to cover all expenses which would be
12 incurred by an officer if he had to make expenses for
13 the corporation. That is, each time a member is on
14 leave, he must fill in this form and sign it in order
15 to show the amount of his expenses.

16 Q. Wasn't this form in force before 1960?
17 Is this the one you are referring to, which is Exhibit
18 678? This is a statement of account for expenses, or
19 expense claim for the Corporation of the Lower St.
20 Lawrence Pilots. Were there any proposals tending to
21 grant you remuneration or allowance?

22 A. Yes. I think there was one.

23 Q. Here is an excerpt from the minutes
24 of the assembly of the Corporation until January 1962.
25 Do you remember this proposal which tended to grant a
26 remuneration to officers and administrators of the
27 Corporation for the work carried out during the winter?

28 A. Yes, I remember this proposal and I
29 must say when this proposal came on the order of business,
30 I asked the assembly to allow me to withdraw from the



1 French

2 discussion. I withdrew and this was discussed.

3 Q. You were out of the room?

4 A. That is correct. I was out of the
5 room.

6 Q. Well I would like to call your atten-
7 tion to the mention of a secret ballot. "Mr. J. Fernand Vezina
8 moved and second by Mr. Maurice Derosiers that the proposal
9 was voted on by secret ballot and we got 27 in favour,
10 16 against and the proposal was adopted." In secret
11 ballot "while the main proposal was rejected by 40 votes
12 against 9." Do you know if the secret ballot was by hand
13 -- was the decision for a secret ballot taken by hand?

14 A. I cannot say. I wasn't there. I
15 couldn't see it.

16 Q. Well I request then that this be
17 Exhibit 679, excerpt from the minutes of the meeting.

18
19 ---EXHIBIT NO. 679:

Excerpt from the minutes
of the meeting held in
January, 1963 by the
members of the Corporation
of Lower St. Lawrence
Pilots.

20
21
22
23 Q. Following the request of the pilots to
24 define the functions of various officers, Article 22,
25 for instance, says that the president is the president
26 of the Executive Committee and member of all committees
27 of the Corporation. I think that this morning you
28 stated that you had to attend a number of committees.

29 A. Well to clarify this question. I am
30 not a member, as president I am not, for instance, a



1 French

2 member of the Membership Committee, Application Committee.

3 Q. Well this committee is referred to in
4 Articles 62 and the following?

5 A. That is correct. Article 62 which
6 says nominations or presentations of candidature, Article
7 63 says or gives the information for the formation of
8 a quorum of that committee.

9 Q. But you are entitled to attend these
10 meetings?

11 A. Yes, that is correct but I do not
12 attend all committees.

13 Q. Well this is usual for several years?

14 A. Well we had established several
15 committees and I think we spent the winter myself and
16 the other officers in the office and later I did not
17 find it useful to attend all committees. I had preferred
18 to give freedom to these committees to do their work
19 and then to report to the Executive.

20 Q. Article 32 of the by-law deals with
21 the formation of committees and says the main, standing
22 committees of the Corporation are established by regula-
23 tion. The Executive Board or Board of Directors may
24 by resolution establish any other committee that it deems
25 useful for the Corporation and to determine its functions.
26 As president of the Corporation was it a regular practice
27 to establish committees?

28 A. No.

29 Q. Do you remember whether you attended
30 all these committees?



1 French

2 A. No. I don't think so.

3 Q. Well how many committees have been
4 established in 1960, for instance, and since that time
5 do you remember?

6 A. Well when we came into being, or in
7 the function, it was/only committee established. A committee
8 to study a certain system which would be -- the committee
9 had been established in December 1959. This committee,
10 when we entered office operated and we formed other
11 committees later, such committees we mentioned this
12 morning, a committee to study the revision of by-laws
13 were formed. Another committee which studied the system
14 of the placement of pilots and another committee which
15 was a dispatching committee because before the dispatching
16 was not too good and we wanted to have a committee to
17 make a full survey or study of this and since the
18 Department had begun to develop some statistics, we
19 established another committee which was a statistics
20 committee. The membership was changing regularly, and
21 we had various members, for instance, 25 pilots through-
22 out the summer. During the winter of 1960 we had on
23 some committees sometimes, on various committees, al-
24 together 45 pilots who were working.

25 Q. You are referring to 45 pilots?

26 A. Well there are several -- the Board
27 of Directors of course remained the same and there were
28 some committees which changed membership.

29 Q. Well, when you refer to 45 people,
30 they participated in the work?



1 French

2 A. That is correct. 45 pilots who
3 participated in the work during the winter 1960.

4 Q. Before Article 32, there are a few
5 articles concerning the Executive Committee. It would
6 seem that this is the kind of an Executive Committee of
7 the Board of Directors isn't it?

8 A. Well, the Executive Committee is a
9 committee which deals with the current operation, dealing
10 with correspondence, et cetera, and it must meet once
11 a month while the Board of Directors must meet only once
12 every three months.

13 Q. Well does the Executive Committee,
14 which meets most of the time, or the Board of Directors,
15 are the by-laws always implemented in that respect?

16 A. Well, I think the Board of Directors
17 meet more often than the Executive Committee because we
18 had the Board of Directors for the Corporation of Quebec
19 Harbour and Below and there is the pension fund, which
20 had to meet very often and that is why we had this Board
21 of Directors meet more often than the Executive Committee.

22 Q. You have Article 40, and Article 40 and
23 the following; the committee for admission and promotion
24 What are the functions of this Committee?

25 -

26 -

27 -

28 -

29 -

30 -



French

/RPS

1 A. Well, the functions of the Committee
2 of Admissions is to deal with the progress made by the
3 apprentices. If, for instance there is the list of
4 apprentices and there are some examinations of the
5 candidate apprentices, and things dealing with apprentice-
6 ship mostly, courses or lectures that we gave during the
7 winter and a practical course which we give in the summer
8 on a training ship of the Marine Institute at Rimouski,
9 which unfortunately operated only one year. Therefore,
10 this Committee deals with apprenticeship. There are some
11 other functions but that is the main function.

12 THE CHAIRMAN: You said the training ship
13 only operated one year?

14 THE WITNESSSS: That is correct.

15 MR. LALONDE: Q. I see some members elected,
16 two elected by the general assembly and two are appointed
17 by the Board of Directors?

18 A. Well, we wanted to give to the members
19 the opportunity of deciding on the choice of the members
20 of this Committee of Admission.

21 Q. Was there any other reason?

22 A. Well, I don't recall any at this time.

23 Q. Paragraph 41F speaks of promotion
24 of pilots. It recommends, the Committee recommends to
25 the Board of Directors the promotion of pilots after
26 having been assured that the candidates fulfil the
27 conditions provided by the By-Laws of the Pilotage
28 Authority and those of the Corporation. What is the
29 purpose, the objective of this article, the way you
30 explain it? What does this paragraph mean?



French

1 A. Well, if I understand correctly as
2 regards the appointment, for instance, of pilots of
3 Grade A, the Board of Directors in 1960 established various
4 grades and they, expressed an opinion on this and
5 we have even written to the Pilotage Authority to give
6 them our point of view on this point.

7 Q. Well, you are referring then to the
8 following letter signed by you and addressed to Captain
9 Jacques Gendron?

10 A. Yes, sir.

11 Q. What is the purpose of that letter,
12 the subject of it?

13 A. We think we would prefer the Pilotage
14 Authority would appoint the pilots of Grade A by taking
15 clearly into account, and we stress the fact that the
16 appointment should be made by seniority concerned, and
17 of course the pilot's file.

18 Q. May I read the main paragraph of this
19 letter addressed to Captain Jacques Gendron which reads
20 as follows:

21 "Following the interview with Captain
22 "D.R. Jones, Superintendent of Pilotage and
23 "yourself on the 28th of January I would
24 "like to confirm in writing what was sub-
25 "mitted orally.

26 "Choice of pilots, of Grade A pilots,
27 "should be made by officers or officials of
28 "the D.O.T. taking into account the seniority
29 "and file of the pilot to be selected for
30 "this grade."



French

I would like to now file this letter as Exhibit 680. It is a letter from Captain Gaston Rousseau, President of the Corporation of Lower St. Lawrence Pilots to Captain Jacques Gendron, Superintendent of Pilots dated the 24th of March, 1962.

THE CHAIRMAN: The appointments in various grades of pilots are made then by the Pilotage Authority in accordance with the By-Laws of the District?

MR. LALONDE: Q. Do you agree with the statement of his lordship?

THE WITNESS: Yes.

THE CHAIRMAN: It was a question.

THE WITNESS: Well, I agree.

Q. Well, therefore, does the Committee of Admission and Promotion have anything to do with the promotion of pilots from Class C1 to C2 or from B to A?

A. No.

Q. Has the Corporation anything to do with this?

A. No.

EXHIBIT NO: 680: Letter from Captain Rousseau to Captain Gendron, 24th March, 1962.

THE CHAIRMAN: However if it wishes to deal with it it could do it under the Article in question.

THE WITNESS: That is right.

Q. Up to now you preferred to leave entirely to the Pilotage Authority the responsibility of making appointments?

A. That is correct.

Q. Now, would you find in Article 51 concerning special meetings of special assemblies in addition to the annual assembly. Did you hold any special



1 French

2 meetings with the Corporation since it was established?

3 A. Yes, in the spring, 1962.

4 Q. Well, there is nothing then since that
5 period?

6 A. No.

7 Q. I note that Article 55 gives you
8 full order of business or agenda for annual assembly of
9 the members. Is this agenda or order of business - was
10 this agenda followed for the conduct of the meeting?

11 A. Well, it was practically followed.

12 Q. Well, as President of the Corporation
13 I imagine you have presided over all general annual
14 meetings since 1960?

15 A. That is right.

16 Q. Have you ever refused to a member the
17 right of speech in an assembly of the members of the
18 Corporation?

19 A. Yes, I refused to a member of the
20 Association who came to the assembly of the Corporation.

21 I didn't refuse myself, but the members
22 themselves asked that this member of the Association
23 be refused.

24 THE CHAIRMAN: When you say members of the
25 Corporation refused a member of the Association to allow
26 a member of the Corporation to ask a question?

27 THE WITNESS: Well, if I may say, your
28 lordship, I might perhaps tell you this fact. It was at
29 an assembly of the Corporation of the St. Lawrence Pilots
30 and at the opening of the meeting we noticed or found that



1 French

2 there was a colleague present who was a member of the
3 Association of Licensed Pilots for the Quebec Harbour
4 and Below. He wasn't a member of the Corporation. I
5 drew the attention of the members to this fact, that
6 this pilot was present and I even welcomed him. Later
7 I explained to him since he wasn't a member of the
8 Corporation he wasn't entitled to attend but as a
9 colleague I was asking him to sign the Act of Adherence
10 so that we could have the meeting of the Board of
11 Directors and admit him. He refused so I asked the
12 members present, I said I don't want to take the
13 responsibility to expel him. I asked the members present
14 what they intended to do in that respect. The majority
15 of the members expressed, the members present -- I
16 should say almost the totality of the members present
17 consented to have this person attending without having
18 the right of speech and this appears in the minutes
19 of the assembly.

20 THE CHAIRMAN: It is following the incident
21 you talked about occurred, the incident when he wanted
22 to ask a question.

23 THE WITNESS: Yes, he wanted to ask a question
24 and the legal adviser as well as myself told him, I am
25 sorry, but you don't have the right to speak. You should
26 listen but not speak.

27 THE CHAIRMAN: In other words he didn't have
28 the right to take part in the debate?

29 THE WITNESS: That is correct, my lord.
30 I think I said to him at any rate there would be a meeting



French

1 later on of the Association and he would have the right
2 to speak at that meeting of the Association as well as
3 at the meeting of the Corporation of the Pension Fund.

4 THE CHAIRMAN: If you are going to change
5 the subject matter we are going to have a recess for a few
6 minutes.

7 MR. LALONDE: Q. Just one question. In
8 any other circumstances ever since you have been President
9 did you ever keep anyone from talking before at the
10 general annual meeting?

11 A. No, never.

12 THE CHAIRMAN: We will adjourn for a few
13 minutes.

14
15 ---A SHORT RECESS.

16
17 ---FOLLOWING THE SHORT RECESS:

18
19 THE CHAIRMAN: I think that the Commission
20 should have held its hearings during the month of
21 August. Perhaps we would have had some nice weather
22 then.

23 MR. LALONDE: Q. My lord, I would like to
24 file as Exhibit 681 a photocopy of an excerpt of the
25 Minutes of the Corporation of the Lower St. Lawrence
26 Pilots, and excerpt which contains the minutes of the
27 general meeting of the Corporation held on January 11th,
28 1961 and adjourned to March 29th, 1961 and which reports
29 the facts as related by Captain Rousseau just before
30 the adjournment for recess.



1 French

2 ---EXHIBIT NO. 681:

A photocopy of an excerpt
of the Minutes of the
Corporation of the Lower
St. Lawrence Pilots, an
excerpt which contains the
minutes of the general
meeting of the Corporation
held on January 11th, 1961
and adjourned to March 29th,
1961 and which reports the
facts as related by Captain
Rousseau just before the
adjournment for recess.

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9
10 Q. Captain Rousseau, if we go on reading
11 the By-Laws we note at Section 83 that the quorum
12 for the general meeting is 40 per cent of the members.
13 I think that this morning we mentioned that a quorum
14 for the Association was one quarter of the members, in
15 Article 22. Do you think that the general annual meeting
16 had to be adjourned to a later date because there wasn't
17 any quorum?

18 A. No, on the contrary. We always had
19 a great number of our members who attended meetings.

20 Q. To your knowledge did you always have
21 a majority, that is more than 50 per cent of the members
22 who were present at the general annual meeting?

23 A. Yes. I think it is in the minutes.

24 Q. I will ask the Secretary-Treasurer
25 to give evidence to that fact. Section 62 provides for
26 nomination committee. Could you please explain to us
27 briefly how this Committee works out in the general
28 procedure followed in elections to your Corporation?

29 A. In the first place the Board appoints
30 the members of the Nomination Committee and we have



1 French

2 tried to appoint on that Committee the eldest amongst
3 the members, and other middle-aged persons. I think
4 I could even give you a list in order to give you a
5 better idea of the members who sat on that Committee if
6 it pleases the Commission or if the Commission so auth-
7 orizes.

8 Q. Do you have this list at your disposal?

9 A. Yes.

10 Q. Was it prepared by you?

11 A. No, it was prepared by the Secretary
12 who took it from the minutes.

13 Q. My lord, I don't think that these
14 things are of a great deal of interest. Could you please
15 explain to the Commission if these members are selected
16 amongst the members of the Board?

17 A. No, these are people who are not
18 members of the Board.

19 Q. How many members are there?

20 A. I think the Article provides for six
21 members on that Committee, rather five members -- there
22 is five members and the President ex officio.

23 Q. This Nomination Committee, what are
24 its terms of reference and how does it work, usually?

25 A. Well, Article 63 stipulates that at
26 the latest on November 15th of each year the Board must
27 create the Nomination Committee composed of five members
28 amongst whom are the President ex officio and four members
29 selected by the Board.

30 Q. That is what you have done up to now?



1 French

2 A. That is what we still do.

3 Q. As soon as the Nomination Committee is
4 appointed what is its terms of reference?

5 A. Well, at Article 65 we give the place
6 and convention of meetings and then we say in 66 between
7 the 16th and 20th of November, each of the two dates
8 inclusive the Secretary of the Corporation sends by mail,
9 under ordinary letter to each of the active members a
10 notice mentioning the decision for election at the next
11 general annual meeting, and then the conditions for
12 eligibility for each position, the type of representation
13 of the candidates, the last date and the place of reception
CC2 14 of the ballots of candidacy.

15 Q. I would like to show you a series
16 of documents, the first of which is dated November 16th,
17 1962 and it is addressed to the members of the Corporation
18 of the Lower St. Lawrence Pilots. Can you please tell
19 me if you have received such documents which might have
20 been addressed to the members of the Corporation and
21 if these documents are those that you mention under
22 Section 66?

23 A. Yes, document A -- that is the bulletin
24 of presentation of candidacy.

25 Q. As far as you are concerned and as
26 far as you know you received such documents as those,
27 naming the candidacy of the officers of your Corporation?

28 A. Yes, every year, every member receives
29 these bulletins.

30 Q. I would like to file these documents



1 French

2 as Exhibit 682, documents relating to the nomination of
3 members of the Corporation of the Lower St. Lawrence
4 Pilots.

5
6 ---EXHIBIT NO. 682:

Documents relating to the
nomination of members of the
Corporation of the Lower
St. Lawrence Pilots.

7
8
9 Q. So, what happens after that?

10 A. Well, if you allow me to refer to the
11 By-Law, between the 16th and the 20th of December each
12 of the two dates inclusive the Nomination Committee holds
13 its first meeting.

14 Q. What does that Committee do at that
15 first meeting?

16 A. Well, they read the different
17 nominations they receive and the Secretary-Treasurer takes
18 the minutes, records the minutes of this meeting. Then,
19 between December 21st and the 24th each of the two dates
20 inclusive the Secretary of the Corporation sends by
21 ordinary mail to each member of the Corporation a list
22 of the candidates established at the first meeting. The
23 Nomination Committee in 24 hours preceding the time set
24 for the general annual meeting of the Corporation, the
25 Nomination Committee hold a second meeting.

26 Q. Could you please tell us briefly what
27 is the aim of that second meeting of the Committee?

28 A. The second meeting of the Committee is
29 to be sure that all the members who have, for example
30 submitted -- who were nominated are still alive and that



French

1 they performed duties of active members and, for instance,
2 they are not members who might have retired and so forth.

3 Q. In other words you sort of try to find
4 out if they are all eligible, those whose names are shown
5 on the list of nominations?

6 A. Yes.

7 Q. You state that during the 21st and
8 24 of December each member has received by mail a list
9 of all the nominations and Article 74 talks about posting
10 of the list of nominees. Have you seen it and what does
11 it mean?

12 A. This is done every year, the list
13 of candidates is posted. I think that it is one in
14 each pilotage station up until the general annual meeting.
15 Is it posted still 15 minutes prior to the holding of
16 the general annual meeting at the site of the meeting.

17 Q. To your knowledge this has been done
18 every year?

19 A. Yes.

20 Q. Now, Article 77 and others provides
21 the procedure to be followed at election time. Do you
22 elect a president of the election aside from the President
23 of the Corporation?

24 A. Well, there is a nomination for the
25 president of the election as well as scrutineers.

26 Q. How many scrutineers do you have?

27 A. I think you have an election president
28 and two scrutineers, and there is another person whose
29 function I can't remember exactly. I think that there
30 are four altogether.



1 Q. Article 79 provides for one president,
2 and one secretary . . .

3 A. And two scrutineers, that is it.

4 Q. Are these officers appointed by the
5 general meeting?

6 A. Yes.

7 Q. So far as you can remember ever since
8 1960 were there elections for any of the other positions
9 of the Corporation, that is to the Board or as members
10 of the Committees of Promotion and Admission elected
11 by a general meeting?

12 A. There were some elections for the
13 Promotion and Admission Committee as well as for the
14 Board.

15 Q. The procedure provided for in the
16 By-Laws and which you have summed up, was it followed
17 in each case?

18 A. It has been followed faithfully.

19 Q. Section 84 provides
20 for the obligations on the part of the members. I see
21 amongst these obligations on the part of the members --
22 I see mention of a series of duties, such as A members
23 should conform to the By-Laws and regulations of the
24 Corporation as well as By-Laws and other regulations
25 concerning the performance of Pilotage within the
26 District. 84B . . .

27 THE CHAIRMAN: This would allow a
28 disciplinary committee to exercise its power?

29 MR. LALONDE: Yes. I was just going to
30 ask you this question, Captain Rousseau: Insofar as this



1 French

2 obligations and duties are concerned and, for example,
3 there is one relating to promoting efficiency and
4 good reputation of the pilotage service within the
5 District and so forth -- do the Corporation take any
6 sanctions against any of its members?

7 A. No.

8 Q. In fact, does the Corporation have
9 at this time any disciplinary powers which allow it to
10 take such steps?

11 A. No power. The Pilotage Authority
12 has all these powers. If you allow me, my lord, in Article
13 84C it states amongst others, he must maintain and
14 develop between himself and the other members of the
15 Corporation a spirit of brotherhood, of co-operation
16 and of mutual aid. I am sorry to say that is not the
17 case at the present time because you have heard our
18 colleague, Mr. Koenig.

19 THE CHAIRMAN: He is not a member of the
20 Corporation.

21 THE WITNESS: Yes, he is a member of the
22 Corporation. At any rate we did nothing against him
23 personally within our province. It is up to the Pilot-
24 age Authority.

25 THE CHAIRMAN: Here there is a question of
26 interpretation which says a difference of opinion is
27 not necessarily bad. Naturally sometimes there must
28 be a difference of opinion in order to have progress.

29 THE WITNESS: Yes.

30 MR. LALONDE: Q. Captain Rousseau, insofar



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2 as these duties are concerned and due to the fact that
3 the majority of the members of your Corporation at the
4 present time don't want to enforce or, rather, to main-
5 tain discipline, don't you think, or do you think, it
6 would be advantageous to the Pilotage Service that creates
7 all pilots, I am not talking here about the Corporation,
8 but that pilot groups exercise certain disciplinary
9 powers.

10 A. I think so.

11 Q. Do you think that such powers could
12 improve the efficiency of pilotage service?

13 A. I think so. I think it would be
14 preferable to have somebody sitting on the Disciplinary
15 Committee who would be outside the organization.

16 Q. You mean the pilots?

17 A. Yes.

18 THE CHAIRMAN: Is this provided for, for this
19 Committee which is provided in your By-Laws, that it
20 could be somebody from outside the Corporation?

21 THE WITNESS: No, my lord.

22 MR. LALONDE: Q. Section 84 of the By-Laws
23 provides possibilities of affiliation to the Federation
24 of the St. Lawrence Pilots and Article 86 affiliation
25 to the Canadian Merchant Service Guild. If we get
26 back to Exhibit 592, Article 30, we see that an
27 amendment was made on September 28th, 1959 according
28 to which the Association was affiliated to the Federation
29 of the St. Lawrence Pilots. Do you recall such an
30 amendment in 1959?



1 French

2 A. Yes.

3 Q. Were you a member of the Board at that
4 time?

5 A. No.

6 Q. So you had no position as Director at
7 that time?

8 A. No, not in 1959.

9 THE CHAIRMAN: It was at the time of the
10 Bill S3 that there was unity insofar as the Federation
11 and the Guild was concerned?

12 THE WITNESS: Yes, my lord.

13 MR. LALONDE: Q. So this affiliation to the
14 Federation of the St. Lawrence Pilots in 1960 at the
15 incorporation of your Corporation -- in the last analysis,
16 if I am not wrong was continuing what was existing with
17 the Association?

18 A. Yes.

19 Q. Now, Articles 88 and following provide
20 certain, make certain provisions for the financial
21 aspects. Now, every year you elect some auditors for
22 your Corporation?

23 A. Yes, it is done at the general meeting
24 of each year.

25 Q. In each year do the members of your
26 Corporation receive at the meeting, do they have on hand
27 at the meeting the report of the auditors?
28
29
30



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2 A. Yes. It has been done for a few
3 years now.

4 Q. Do you mean for a few years this
5 was not done?

6 A. No. It was not done because the
7 fiscal year was ending at December 21st, and we did not
8 have time to prepare the balance sheet for the second
9 Wednesday of January.

10 Q. So what was going on at that time?

11 A. At the time the Secretary-Treasurer
12 would prepare a kind of provisional balance sheet but
13 the report, the final report was made at the general
14 assembly in March in order to check this balance sheet
15 which was made by the auditors.

16 Q. But the auditors' report, if I under-
17 stand you properly, it was submitted to the meeting
18 adjourned to March?

19 A. Yes.

20 Q. So ever since you have been a pilot
21 have you not always had on hand at the general annual
22 meeting, either at its adjournment or during the meeting
23 itself, the auditors' report?

24 A. Yes.

25 Q. And what amendments were made to such
26 a practice or such policy?

27 A. Now the fiscal year is on December 15th,
28 and we have an amended By-Law to that effect.

29 Q. Have you not have adopted the resolution
30 for Article 91 which states that unless the Board, through



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2 a resolution, decides otherwise the fiscal year of the
3 Corporation ends on December 31st of each year?

4 A. This is true. This is a mistake on
5 my part.

6 Q. Consequently, you have adopted a
7 resolution which delays or puts the fiscal year at
8 December 15th, so when do you give the auditors' report
9 to the members of the Corporation?

10 A. Well we give them this balance sheet
11 at the general meeting of the second Wednesday of
12 January.

13 Q. Is that auditors' report also given to
14 the members of the Association of the Licensed Pilots
15 in the Quebec Harbour and Below who are not members
16 of the Corporation?

17 A. Also.

18 Q. Do they receive the complete auditors'
19 report?

20 A. The same report as the one that is
21 received by the members of the Corporation.

22 Q. What is your policy in the field of
23 expenses for your Corporation?

24 A. Do you mean ---

25 Q. For example, you receive a bill
26 for professional fees. What do you do with it?

27 A. Well if we receive such a bill for
28 professional fees, well we wait for the next meeting of
29 the Board and then we study this expense account and
30 if we find it reasonable, then we adopt the idea to pay



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2 this bill.

3 Q. Does the same apply in all events or
4 all the accounts payable of your Corporation?

5 A. Yes, this is true. Yes, we want to
6 have all the expenses incurred and all this is written
7 in the minute book.

8 Q. Are there certain expenses that you
9 have to submit to the general meeting before incurring
10 such expenses?

11 A. No. This never happened up to now
12 but we admit that our pilots of the Corporation nor the
13 pilots of the Association are provided a budget. I
14 admit that.

15 Q. I am not talking to you about budget.
16 I am still asking you if the Board is forced to go before
17 the general meeting before incurring certain expenses
18 or if the Board has the power, according to the By-Laws,
19 both for the Association and the Corporation to spend
20 the necessary amount of money for the welfare of the
21 Corporation?

22 A. They have the power to do so.

23 Q. You have mentioned in the preceding
24 answer that up to now you had not been preparing a
25 budget, or budget estimates within your Corporation.
26 To your knowledge was there any such budget estimate
27 prepared?

28 A. No, I don't think so.

29 Q. With all the advantages that would
30 exist towards the convenience that you would see in



1 French

2 preparing a budget estimate, do you think that a budget
3 estimate would be particularly useful to the members?

4 A. I think that a budget estimate would
5 ~~certainly~~ be the thing to do but in our own case, in our
6 own particular case it would be easy to foresee the
7 expenses for the current year, the expenses for the
8 Secretariate, the operation of the Corporation; the
9 wages paid our employees, but I think it would be
10 extremely hard to foresee the expenses, such as for
11 professional fees, special dues and this because ever
12 since 1959 we had to face many different things, such
13 as Bill S3, the idea of the Pilotage Authority and of
14 the government of civil servants, to give us a status
15 of civil servants and then we had to face Bill C80,
16 and another Bill, C98 and we had to give attention to
17 two briefs both prepared by the Federation of Shipowners,
18 twice, and also a brief submitted by the Dominion
19 Marine Association and I think that I am forgetting
20 many other things but this gives a general idea of the
21 different problems that we had to tackle and fight
22 against ever since 1957 -- not since 1957, but ever
23 since 1960, ever since I have been the President.

24 Q. Would it have been possible to foresee
25 these different events within the budget estimate?

26 A. Well it would have been absolutely
27 impossible to foresee all that because Bill S3, as you
28 well know, came up suddenly one bright morning without
29 anybody being aware of it, after the Civil Servants
30 had told us that if something like that ever occurred,



1 that we would be notified in advance but when, if I
2 remember correctly, Bill 080 and 98 were submitted,
3 once more nobody notified us about it.

4 Q. Did the Shipowners inform you in
5 advance that they wished to submit a brief?

6 A. No, I don't think so.

7 Q. So if I understand you properly you
8 contend that there is a great margin of things that
9 cannot be foreseen in your expenses at the present
10 time?

11 A. Yes. And we do hope that one day
12 this new situation will no longer exist and we will be
13 able to work in peace if it is possible at all to do
14 so in this world, then we will be able to prepare a
15 budget estimate.

16 Q. If you allow me to get back a little,
17 I note the provision as regards the meeting of the Board,
18 Section 15(f) where again mention is made of the
19 attendance of members, and I quote:

20 "The active members, as well as
21 "apprentice members have a right to attend
22 "all meetings of the Board but they do not
23 "have the right to take part in the debate."
24 Did it ever happen that members of your
25 Corporation went to a meeting of the Board?

26 A. Yes. Not the apprentice members, but
27 members in good standing.

28 Q. Did it happen once?

29 A. Not very often and it happened, as a
30



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2 matter of fact, very recently.

3 Q. To your knowledge did it happen more
4 than once?

5 A. Oh yes, more than once certainly.

6 THE CHAIRMAN: That is something that is not
7 seen very often in By-Laws, and I must congratulate
8 the pilots for it.

9 Q. The members who attended these meet-
10 ings, or rather did you ever hear that these members
11 might have stated that they were not entirely welcome?
12 They were badly received?

13 A. It would be quite difficult to make
14 such a statement because when certain members attended
15 the meetings, we just asked them to sit down and to
16 listen and that we were happy to see them there so to
17 answer your question, well I must answer it in the
18 negative.

19 Q. Now we have heard it said that certain
20 things about the admission of members. How do you
21 proceed to admit a member within the Association or
22 the Corporation at the present time? The document that
23 you have mentioned beforehand, do you have them sign
24 this before the admission examination or at the same
25 time as the examination or later on? What happens?
26 What is the general policy followed?

27 A. Well as soon as an apprentice passes
28 with flying colours his examination, Pilotage examination,
29 and that the Board of Examiners, that is the President
30 of the Board of Examiners ---



1 French

2 Q. Who is that President?

3 A. He is the Regional Supervisor of the
4 D.O.T., Captain Catinus who is President of the Board
5 of Examiners and after consulting with the other members
6 of the Board of Examiners, tells the apprentice if he
7 has passed his examination or not.

8 Later on, or subsequently we invite the
9 successful candidate to come to the office of our
10 Association and Corporation and there in the presence
11 of the Secretary of our organization, as well as one
12 member of the Committee of Promotion and Admission, we
13 naturally congratulate the successful candidate and then
14 I personally explain to him the office where he is
15 at the present time will belong to him shortly, in part
16 that the Secretary will become his employee, and then
17 that we explain to him that the Corporation of the
18 Pension Fund, that it is not necessary for him to sign
19 with that Corporation because automatically as soon
20 as he receives his licence he will become a member.
21 Afterwards we explain to him what is the Association
22 of the Licensed Pilots for the Quebec Harbour and Below
23 and then we also explain to him what has been done in
24 1960. Also we explain to him how the Corporation works
25 and, in the first place, we ask him if he wants to sign
26 the Act of Association and then we make him read the
27 two forms, that is the membership form of the Corporation
28 and the other form which is --- how can I say --- ?

29 Q. The amendment to The Act of Association?

30 A. Before signing these two documents,



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2 I insist upon reading to the new candidate the aims of
3 the Corporation and I give him some explanation. Is
4 it necessary for me to give the explanation to the
5 aims of our Corporation?

6 THE CHAIRMAN: Well you explain to him ---

7 THE WITNESS: So I explain to him, A to G,
8 this is the charter, in the letters patent. Then I
9 draw his attention to the fact that everything is subject
10 to the prescription of the Canada Shipping Act on Pilots
11 and Pilotage which were established in accordance with
12 that Act.

13 Q. Do you explain to him what it means?

14 A. Yes. That his boss is the Minister
15 of Transportation and naturally he knows when he passes
16 his exam because this is one of the questions on the
17 examination.

18 Q. When he signs this membership form
DD2 19 do you see to it that the candidate, as soon as they have
20 signed this document, this new member will no longer be
21 able to withdraw from the Corporation with the exception
22 that it is always in accordance with the By-Laws?

23 A. What happens is that we tell him to
24 read these documents very closely. That is the one
25 I mentioned beforehand, that is the amendment to the
26 Act of Association and the membership form. Then later
27 on, if he has signed, we give him all the By-Laws of the
28 Corporation and the By-Laws governing the pension fund.

29 Q. But theoretically speaking a member
30 could sign both documents that you have mentioned and



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2 we do not find in these two documents that you have
3 mentioned the provision to the effect that the said
4 member will have to remain a member of the Corporation
5 so long as he will be a pilot or he will exercise
6 pilotage and nor do you find the provision to the effect
7 that he should be a member until 1980. You have seen
8 the two documents that you have read?

9 A. Yes.

10 Q. And according to these it doesn't seem
11 that the signee should be the member of the Association
12 until the year 1980 or a member of the Corporation so
13 long as he will be an active pilot. My question is the
14 following: Is a member who adheres to both organizations
15 aware of the commitments that he makes? In other words,
16 that he is bound for a very long period of time? Have
17 you spoken about that with the candidate or are candidates
18 informed about that fact?

19 A. I don't know.

20 Q. Well you have not mentioned this
21 to members who present themselves before you to sign?

22 A. No.

23 Q. Is it usually known among pilots and
24 apprentices that you are members of the Association or
25 the Corporation for a very long period in practice and
26 you cannot withdraw from any of these bodies?

27 A. Yes, it is known.

28 Q. Now I am sorry to come back on fin-
29 ancial question, but you have each year an auditors'
30 report which is submitted to all members of the Corporation



1 French

2 or Association. Is there any other document that is
3 sent to the members throughout the year, to the members
4 of the Association or Corporation?

5 A. Well that is when a member gets his
6 pay. That is every fortnight he receives a detailed
7 report of expenses incurred during that period.

8 Q. Well I am showing you now a document
9 entitled "Corporation of Lower St. Lawrence Pilots, Quebec,
10 20th of July 1963, Distribution No. 6." With the
11 initials W.M. at the bottom of the document. Is this
12 document one of those which is distributed with each
13 pay every fortnight?

14 A. Yes. It is sent to all members of the
15 Association and the Corporation.

16 Q. Well I would like to file this
17 document as Exhibit No. 683. I am informed your
18 lordship that the same document has been filed by Mr.
19 Koenig when he was testifying. If you want, it can
20 be attached to another document or be filed as such.
21 Well this document will, therefore, be -- it's identical
22 with one document filed as Exhibit 597. It is
23 exactly the same document. Therefore, 683 is cancelled
24 for the time being.

25 Q. Now do you send to your members the
26 bulletins from time to time in addition to these
27 financial reports which are bimonthly?

28 A. Yes. We send bulletins to the
29 members fairly frequently with items relating to pilot-
30 age in their District. This year I think that we are



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2 up to bulletin 12 or 13, but on the average the number
3 of bulletins sent by our Secretariate to the members is
4 about, well 17, perhaps more or less.

5 Q. Are these bulletins sent to all and
6 every pilot in the District?

7 A. Yes, to all of them.

8 Q. Now if we may pass on to By-Law No. 2
9 of your Corporation. This is the By-Law concerning
10 the common fund of the Pilot Corporation. That is the
11 operation of your common fund. I would ask the Secret-
12 ary-Treasurer of the Corporation to explain in detail
13 the functioning of the common fund. However, I would
14 like to ask you a few questions concerning this By-Law.
15 I first notice that by Article 1 all Pilotage dues earned
16 by members of the Corporation are paid into the common
17 fund. Now at Article 4 I notice that each day, and I
18 quote:

19 "Each day or fraction of a day from
20 "April to 31st December inclusive during
21 "which an administrator or a Committee
22 "member or any member of the Corporation
23 "deals officially with the business of the
24 "Corporation, counts as half a turn on
25 "Pilotage."

26 We already have had some testimony on this
27 subject but you receive no equivalence of turns between
28 the 1st of January and the 1st of April?

29 A. No. During the winter months the
30 members of the Board, or any other member of the Committee



1 French

2 do not receive anything.

3 Q. Well do you frequently hold meetings
4 during the winter?

5 A. Well I would say more than frequently.
6 I have asked the Secretary-Treasurer to keep some log
7 book of the time I myself --- well the time I come to
8 the office and the time I leave the office and in 1961,
9 for instance, I think I mentioned to the members that
10 since this By-Law was in force, or absolutely new, and
11 I insisted on mentioning in my report the number of
12 hours devoted to the administration of my Corporation
13 during 1961 and I think this totals up to several hours.

14 Q. Well I am showing you a photocopy of
15 a document, on page 19 of that document -- could you
16 identify this document and say if this is your report
17 to the Corporation of the 11th January 1961 to the
18 general meeting?

19 A. That is correct.

20 Q. Well are the figures quoted on page
21 19 of this report in accordance with the results taken
22 from the log book you asked the Secretary-Treasurer to
23 keep?

24 A. Yes. If I remember correctly it was
25 possibly one thousand hours, one thousand and thirty-
26 four hours for 1961. Officers have, of course, done
27 more time which has not been recorded of course for which
28 no remuneration was given.

29 Q. Well each year do you send a report
30 of this kind to your members?



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2 A. Well after 1961 I did not ask Mr.
3 Menard to file the number of hours which were devoted
4 to administration. However, I asked him to keep for
5 his own information his own log book which takes into
6 account all the meetings, I think, with the various
7 people dealing with our Association.



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2 Q. Well, if I understand correctly you
3 still kept the log book but you didn't total your number
4 of hours?

5 A. That is correct.

6 Q. Well, do you present each year a
7 report to your members concerning the activities of
8 the Corporation throughout the year?

9 A. Yes -- at the general annual meeting?

10 Q. Yes?

11 A. Well, we have on the order of business
12 of our general meeting a detailed report of the activities
13 during the season in question.

14 Q. Well, does this 1961 report, does it
15 give us a good idea of what happened throughout the year?

16 A. Yes, it is summary of what happened.

17 MR. LALONDE: Your lordship, I would like to
18 file a document as Exhibit 683 which is a report of
19 the President of the Corporation of the Lower St. Lawrence
20 Pilots during the annual general meeting of the 11th,
21 January, 1961.

22
23 ---EXHIBIT NO. 683:

Report of the President of
the Corporation of the Lower
St. Lawrence Pilots at the
annual general meeting on
the 11th of January, 1961.

24
25
26 Q. Is this allowance for half a turn
27 on account of each day or fraction of a day, does this
28 constitute a more generous allowance than what you would
29 be entitled to if you were on duty, actually on duty
30 during the period between April 1st and December 31st?



1 French

2 Do you understand my question?

3 A. No, I don't understand it.

4 Q. You have half a day, half a turn for
5 a day's assembly?

6 A. That is correct.

7 Q. If you were on duty would the average
8 of your turns be approximately half a turn?

9 A. Well, I think of the half turn that
10 we get for one day or fraction of -- I don't think it
11 compensates for the work carried out. I would say,
12 for instance, during the first year I received approx-
13 imately 27-1/2 turns for more than one thousand hours
14 of work.

15 Q. The value of the turn is about how
16 much in your District?

17 A. Well, it used to be approximately
18 \$130.00, \$130.00.

19
20 Q. Well, this turn allowance that you
21 receive -- the fact is you get no money directly?

22 A. No, I have already explained it that
23 at the first assembly of the Corporation that it wasn't
24 money that we were receiving, but that members were
25 performing a certain amount of hours work for the
26 Corporation. I think that first year it was approximately
27 eight hours per member for the administration, that they
28 were providing to the administration.

29 Q. Well then the contribution of the other
30 members which are not on the Board would be additional



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2 hours or kind of overtime?

3 A. Yes, that is correct.

4 Q. And you say that this would represent
5 about eight hours for that particular year per member?

6 A. Well, I would like to check. I think
7 this is approximately the case.

8 Q. When you attend an assembly have you
9 got work for the whole day? Is it a day's work?

10 A. Well, the assembly begins at 9:30,
11 roughly, and closes very late, well, now, usually we
12 close about six or 6:30.

13 Q. Well, as President have you given
14 additional hours?

15 A. Well, after an assembly of the Board
16 I go to the office usually the following day to deal
17 with correspondence and see the various questions which
18 we discussed during the assembly.

19 Q. Well, when exercising your duties
20 did you always claim the number of hours or turns that
21 you were entitled to? In other words did you always
22 ask half a turn for an assembly which was held?

23 A. No, far from it.

24 THE CHAIRMAN: Are we changing the subject
25 now?

26 MR. LALONDE: Yes.

27 THE CHAIRMAN: I think if that is the case,
28 with the high temperature and it is past five o'clock
29 then we will adjourn.

30 MR. LALONDE: With your permission I would like



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2 to inform my colleagues that due to the cross-examination
3 of Captain Rousseau being, probably long and since we
4 are not going to hold meetings during the next week here
5 I would like to ask Mr. Rousseau to leave the box tomorrow
6 morning so that we can hear the Secretary-Treasurer.

7 THE CHAIRMAN: If the evidence is not very
8 long that is fine. Unless we foresee that Quebec will
9 last a full week, which I don't believe will be the
10 case I think we will continue the Quebec session at the
11 beginning of the Montreal session which will start in
12 two weeks.

13 MR. BRISSET: Perhaps, would it be possible
14 to hear somebody from Quebec instead of bringing him
15 from Quebec to Montreal, to hear him here on Friday,
16 perhaps?

17 THE CHAIRMAN: Well, all right, we will
18 have Friday morning for this person from Quebec.

19 MR. BRISSET: I have another request, your
20 lordship: The witness has produced his annual report
21 for the year 1960. I would like him to produce during
22 his testimony the reports of 1961 and 1962.

23 THE CHAIRMAN: You mean the speech he made
24 at the opening of the annual assembly?

25 MR. BRISSET: Well, I think the witness used
26 the word report.

27 THE CHAIRMAN: Well, I think it is a state-
28 ment of the Chairman or the President at the opening of
29 the annual meeting on the activities of the Corporation.
30 Could you produce it?



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2 MR. LALONDE: Yes, it is possible. I will
3 have it tomorrow morning.

4 THE CHAIRMAN: Ten o'clock tomorrow morning.
5 The meeting is adjourned.

6
7 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

8 WEDNESDAY, the 18th DAY OF

9 SEPTEMBER, 1963.

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